

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 07-1385

JOHNNY RAY PHILLIPS,

Plaintiff - Appellant,

versus

GASTON COUNTY; JAN WINTERS, in his Official
Capacity as County Manager for Gaston County;
GASTON COUNTY POLICE DEPARTMENT; WILLIAM J.
FARLEY,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of North Carolina, at Charlotte. Carl Horn, III, Chief
Magistrate Judge. (3:04-cv-00538)

Submitted: February 20, 2008

Decided: May 22, 2008

Before NIEMEYER, MICHAEL, and TRAXLER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

J. Heydt Philbeck, Philip A. Collins, BAILEY & DIXON, LLP, Raleigh,
North Carolina, for Appellant. Martha R. Thompson, STOTT HOLLOWELL
PALMER & WINDHAM, L.L.P., Gastonia, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Johnny Ray Phillips appeals the magistrate judge's order* granting summary judgment in favor of Defendants in his action challenging the propriety of his termination from the Gaston County Police Department. We have reviewed the parties' briefs, the joint appendix, and the magistrate judge's opinion and order and find no reversible error. Accordingly, we affirm for the reasons stated by the magistrate judge. See Phillips v. Gaston County, No. 3:04-cv-00538 (W.D.N.C. Mar. 26, 2007). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED

*The parties consented to the exercise of jurisdiction by the magistrate judge pursuant to 28 U.S.C. § 636(c) (2000).