

**UNPUBLISHED**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 07-1558**

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GENE H. RHODES,

Plaintiff - Appellant,

v.

CARLOS M. GUTIERREZ, Secretary of Commerce,

Defendant - Appellee.

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Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. T. S. Ellis, III, Senior District Judge. (1:06-cv-00711-TSE)

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Submitted: April 24, 2008

Decided: April 28, 2008

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Before KING and SHEDD, Circuit Judges, and WILKINS, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Michele S. Bellizaire, Woodbridge, Virginia, for Appellant. Chuck Rosenberg, United States Attorney, Ralph Andrew Price Jr., Assistant United States Attorney, Alexandria, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Gene H. Rhodes appeals from the district court's order granting summary judgment in favor of his former employer on his complaint alleging age discrimination. We have reviewed the record included on appeal and the parties' briefs and have found no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Rhodes v. Gutierrez, No. 1:06-cv-00711-TSE (E.D. Va. filed May 11, 2007; entered May 16, 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