

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 07-7258**

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WESLEY CHASE,

Plaintiff - Appellee,

UNITED STATES OF AMERICA,

Intervenor/Plaintiff - Appellee,

v.

ALTON BASKERVILLE, Warden of the Powhatan Correctional Center, he is sued in his personal and official capacities; PARKER, Ms., Principal of the Powhatan Correctional Center, she is sued in her personal and official capacities; P. M. HENICK, Regional Ombudsman, Virginia Department of Corrections, he or she is sued within he or she personal and official capacities; S. TRIMMER, Ms., Special Education, director for the Virginia Department of Education, she is sued in her personal and official capacities,

Defendants - Appellants.

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Appeal from the United States District Court for the Eastern District of Virginia, at Richmond. Henry E. Hudson, District Judge. (3:04-cv-759-HEH)

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Submitted: November 25, 2008

Decided: December 31, 2008

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Before WILKINSON, GREGORY, and DUNCAN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Mark R. Davis, Assistant Attorney General, William Eugene Thro, Special Assistant Attorney General, Richmond, Virginia, for Appellants. Wesley Chase, Appellee Pro Se. Sarah Elaine Harrington, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C.; Robert P. McIntosh, Assistant United States Attorney, Richmond, Virginia, for the United States.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Appellants appeal the district court's order denying their motion to dismiss Appellee's Rehabilitation Act claims on the basis of sovereign immunity. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Chase v. Baskerville, No. 3:04-cv-759-HEH (E.D. Va. Aug. 2, 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