

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-1110

JEFFREY D. GREGORY,

Plaintiff - Appellant,

v.

POST MASTER JOHN POTTER, United States Postal Service; DANIEL T. PIERCE; JONIE BLANTON; DAVID MILLS; DAVID VAN NORSTRAND,

Defendants - Appellees,

and

WAYNE SIGMON, for Jeffrey Dale Gregory and Sonya McAbee Gregory,

Trustee - Appellee.

Appeal from the United States District Court for the Western District of North Carolina, at Asheville. Lacy H. Thornburg, District Judge. (1:07-cv-00142-LHT-DLH)

Submitted: April 24, 2008

Decided: April 29, 2008

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

Affirmed by unpublished per curiam opinion.

Jeffrey D. Gregory, Appellant Pro Se. Gretchen C. F. Shappert, United States Attorney, James Michael Sullivan, Assistant United States Attorney, Charlotte, North Carolina; P. Wayne Sigmon, GRAY, LAYTON, KERSH, SOLOMON, SIGMON, FURR & SMITH, PA, Gastonia, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jeffrey D. Gregory appeals the district court's order accepting the recommendation of the magistrate judge and dismissing his employment discrimination complaint based on his lack of standing to pursue this action, which—due to his filing of a petition in bankruptcy—belongs to his bankruptcy estate. See Detrick v. Panalpina, Inc., 108 F.3d 529, 536 (4th Cir. 1997). We have reviewed the record and find no reversible error. We note, however, that while Gregory does have standing to pursue his claim that he was required to wear a training badge in February 2007—after the date of the filing of his bankruptcy petition—he cannot state a claim on which relief could be granted on this issue. See Harris v. Forklift Sys. Inc., 510 U.S. 17, 21 (1993). Accordingly, we affirm substantially for the reasons stated by the district court. Gregory v. Potter, No. 1:07-cv-00142-LHT-DLH (W.D.N.C. Dec. 6, 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