

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-1158**

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GARY L. SMITH,

Plaintiff - Appellant,

v.

UNITED STATES POSTAL SERVICE,

Defendant - Appellee.

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Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Claude M. Hilton, Senior District Judge. (1:06-cv-01078-CMH-TRJ)

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Submitted: October 22, 2008

Decided: November 21, 2008

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Before MOTZ, TRAXLER, and DUNCAN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Gary L. Smith, Appellant Pro Se. Monika L. Moore, Assistant United States Attorney, Alexandria, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Gary L. Smith appeals the district court's order granting summary judgment for Defendant in Smith's action alleging violations of the Freedom of Information Act, 5 U.S.C. § 552 (2006). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Smith v. United States Postal Service, No. 1:06-cv-01078-CMH-TRJ (E.D. Va. Dec. 3, 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