

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 08-1787**

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JOYCE MCKENZIE; WILLIAM C. REFFITT,  
  
Plaintiffs - Appellants,

v.

CITY OF WHEELING; ACE GARAGE,  
  
Defendants - Appellees.

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Appeal from the United States District Court for the Northern  
District of West Virginia, at Wheeling. Frederick P.  
Stamp, Jr., Senior District Judge. (5:07-cv-00148-FPS)

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Submitted: July 30, 2009 Decided: August 24, 2009

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Before WILKINSON, DUNCAN, and AGEE, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Peter M. Suwak, Washington, Pennsylvania, for Appellants.  
Bradley K. Shafer, STEPTOE & JOHNSON, PLLC, Wheeling, West  
Virginia; Gerald G. Jacovetty, Jr., Wheeling, West Virginia, for  
Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Joyce McKenzie and William C. Reffitt appeal the district court's order dismissing their civil complaint. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. McKenzie v. City of Wheeling, No. 5:07-cv-00148-FPS (N.D.W. Va. June 18, 2008). 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