

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-1254

GERALD O. DEEL,

Plaintiff - Appellant,

v.

HOME DEPOT USA, INCORPORATED; ESTES EXPRESS LINES,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Spartanburg. William M. Catoe, Jr., Magistrate Judge. (7:08-cv-00856-WMC)

Submitted: September 30, 2009

Decided: October 20, 2009

Before WILKINSON, GREGORY, and DUNCAN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Gerald O. Deel, Appellant Pro Se. Larry Dwight Floyd, Jr., PARKER, POE, ADAMS & BERNSTEIN, LLP, Columbia, South Carolina; Charles Edward Raynal, IV, PARKER, POE, ADAMS & BERNSTEIN, LLP, Raleigh, North Carolina; Thomas Lynn Ogburn, III, POYNER SPRUILL, LLP, Charlotte, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Gerald O. Deel appeals the magistrate judge's order dismissing for failure to state a claim Deel's breach of contract and defamation complaint.* We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the magistrate judge. Deel v. Home Depot USA, Inc., No. 7:08-cv-00856-WMC (D.S.C. Feb. 25, 2009). 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

* The parties consented to the magistrate judge's jurisdiction pursuant to 28 U.S.C. § 636(c) (2006).