

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-2241**

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KEVIN C. UMPHREYVILLE,

Plaintiff - Appellant,

v.

CHARLES W. GITTINS,

Defendant - Appellee.

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Appeal from the United States District Court for the Western District of Virginia, at Harrisonburg. Glen E. Conrad, District Judge. (5:07-cv-00096-gec-bwc)

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Submitted: February 10, 2010

Decided: February 22, 2010

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Before WILKINSON, KING, and DUNCAN, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Kevin C. Umphreyville, Appellant Pro Se. William Leonard Mitchell, II, ECCLESTON & WOLF, PC, Washington, D.C., for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kevin C. Umphreyville appeals a district court order granting summary judgment to Charles W. Gittins and dismissing his complaint. We have reviewed the record and the district court's memorandum opinion and affirm for the reasons cited by the district court. See Umphreyville v. Gittins, No. 5:07-cv-00096-gec-bwc (W.D. Va. Sept. 29, 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