

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 10-1589**

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DANNY ANTONIO JORDAN, SR.,

Plaintiff - Appellant,

v.

GOBO, INC.,

Defendant - Appellee.

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Appeal from the United States District Court for the Western District of Virginia, at Lynchburg. Norman K. Moon, Senior District Judge. (6:09-cv-00059-nkm-mfu)

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Submitted: August 26, 2010

Decided: August 31, 2010

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Before KING and DUNCAN, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Danny Antonio Jordan, Sr., Appellant Pro Se. John Ernest Falcone, PETTY, LIVINGSTON, DAWSON & RICHARDS, Lynchburg, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Danny Antonio Jordan, Sr., appeals the district court's order granting summary judgment in favor of the defendant on his action brought pursuant to the Fair Labor Standards Act. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Jordan v. Gobo, Inc., No. 6:09-cv-00059-nkm-mfu (W.D. Va. Apr. 30, 2010). In light of this disposition, we deny the Appellee's motion to dismiss the appeal for failure to prosecute. 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