

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 11-1221**

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DOUGLAS E. MCPHAIL,

Plaintiff - Appellant,

v.

AMERICAN GENERAL FINANCIAL SERVICES, INCORPORATED,

Defendant - Appellee,

and

A GOODNIGHT SLEEPSTORE,

Defendant.

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Appeal from the United States District Court for the Eastern  
District of North Carolina, at Raleigh. Malcolm J. Howard,  
Senior District Judge. (5:09-cv-00451-H)

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Submitted: July 26, 2011

Decided: July 29, 2011

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Before WILKINSON, KING, and DIAZ, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Douglas E. McPhail, Appellant Pro Se. Megan E. Miller, HUNTON &  
WILLIAMS, LLP, Charlotte, North Carolina; Canon Pence, HUNTON &  
WILLIAMS, Raleigh, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Douglas E. McPhail appeals the district court's order dismissing his complaint under Fed. R. Civ. P. 12(b)(6) for failure to state a claim. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. McPhail v. American Gen. Fin. Serv., Inc., No. 5:09-cv-00451-H (E.D.N.C. Feb. 8, 2011). 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