

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-2423

GREGORY RHEUBOTTOM,

Plaintiff - Appellant,

v.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY,

Defendant - Appellee,

and

ALSTOM TRANSPORTATION, INC.; IFE NORTH AMERICA,

Defendants.

Appeal from the United States District Court for the District of Maryland, at Greenbelt. Peter J. Messitte, Senior District Judge. (8:09-cv-00485-PJM)

Submitted: April 12, 2013

Decided: May 20, 2013

Before KEENAN, WYNN, and DIAZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Douglas K. Allston, Jr., ALLSTON & ASSOCIATES, Greenbelt, Maryland, for Appellant. Mark F. Sullivan, Deputy General Counsel, Carol B. O'Keefe, General Counsel, Gerard J. Stief, Senior Associate General Counsel, Nicholas L. Phucas, Assistant

General Counsel, WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY,
Washington, D.C., for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In this personal injury case, Gregory Rheubottom appeals the district court's order granting Appellee's supplemental motion for summary judgment. On appeal, he argues that the district court misunderstood the evidence and erred in granting the motion. We disagree, and affirm the judgment.

We review whether a district court erred in granting summary judgment de novo, applying the same legal standards as the district court. Martin v. Lloyd, 700 F.3d 132, 135 (4th Cir. 2012). Summary judgment is only appropriate where there is no genuine issue of material fact and the movant is entitled to judgment as a matter of law. Id. In determining whether there is a genuine issue of material fact, we view the evidence in the light most favorable to the nonmoving party. Id. However, a nonmoving party cannot defeat summary judgment with merely a scintilla of evidence. American Arms Int'l v. Herbert, 563 F.3d 78, 82 (4th Cir. 2009). "Where the record taken as a whole could not lead a rational trier of fact to find for the nonmoving party, there is no genuine issue for trial." Matsushita Elec. Indus. Co. v. Zenith Radio Corp., 475 U.S. 574, 587 (1986) (internal quotation marks omitted).

We have reviewed the record and agree with the district court's stated reasons for granting Appellee's supplemental motion for summary judgment. Accordingly, we

affirm the district court's order. See Rheubottom v. Washington Metro. Area Transit Auth., No. 8:09-cv-00485-PJM (D. Md. Oct. 19, 2012). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED