

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 16-1036

HUGH TITO,

Plaintiff - Appellant,

v.

ASHTON B. CARTER, The Honorable, Secretary, Department of
Defense (Defense Logistics Agency),

Defendant - Appellee.

Appeal from the United States District Court for the Eastern
District of Virginia, at Richmond. Robert E. Payne, Senior
District Judge. (3:14-cv-00453-REP)

Submitted: August 11, 2016

Decided: August 16, 2016

Before MOTZ, KEENAN, and WYNN, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Hugh Tito, Appellant Pro Se. Jonathan Holland Hambrick, Assistant
United States Attorney, Richmond, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Hugh Tito appeals the district court's order granting Defendant's motion for summary judgment and dismissing his civil action alleging age discrimination in a promotion decision and in setting his compensation while he held a temporary position. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court.* Tito v. Hagel, No. 3:14-cv-00453-REP (E.D. Va. Nov. 17, 2015). 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

* Although Defendant may not have complied with Local Rule 7(E), district courts in the Eastern District of Virginia do not view a violation of that rule as fatal to a motion for summary judgment. See Hunt v. Calhoun Cnty. Bank, Inc., 8 F. Supp. 3d 720, 731 (E.D. Va. 2014) ("Failure to meet and confer does not automatically result in denial of a motion. Rather, sanctions for failure to meet and confer lie within a district court's discretion and its inherent power to control its docket." (citations omitted)).