

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 16-2378

FREDDIE WAYNE HUFF, II,

Plaintiff - Appellant,

v.

NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY; DIVISION OF STATE HIGHWAY PATROL, a principal subunit of an agency of the State of North Carolina; WILLIAM J. GREY, in his official capacity as Commanding Officer of the Division of State Highway Patrol and individually; JENNIFER A. HARRIS, in her official capacity as the Director of Professional Standards for the Division of State Highway Patrol and individually; JOSEPH A. COTTON, in his official capacity as the Director of Internal Affairs with the Division of State Highway Patrol and individually,

Defendants – Appellees,

and

FRANK L. PERRY,

Defendant.

Appeal from the United States District Court for the Middle District of North Carolina, at Greensboro. Catherine C. Eagles, District Judge. (1:15-cv-00599-CCE-JEP)

Submitted: August 23, 2017

Decided: September 8, 2017

Before DUNCAN, FLOYD, and HARRIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Randolph M. James, RANDOLPH M. JAMES P.C., Winston-Salem, North Carolina, for Appellant. Josh Stein, North Carolina Attorney General, Tammera S. Hill, Assistant Attorney General, Raleigh, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Freddie Wayne Huff, II, appeals the district court’s order granting Defendants summary judgment on Huff’s equal protection, due process, and North Carolina wrongful discharge claims. We have reviewed the record and find no reversible error. Accordingly, we affirm the district court’s order and judgment. *See Huff v. N.C. Dep’t of Pub. Safety*, No. 1:15-cv-00599-CCE-JEP (M.D.N.C. Nov. 2, 2016); *see also Engquist v. Or. Dep’t. of Agric.*, 553 U.S. 591, 605 (2008) (holding that “the class-of-one theory of equal protection—which presupposes that like individuals should be treated alike, and that to treat them differently is to classify them in a way that must survive at least rationality review—is simply a poor fit in the public context”); *Muchira v. Al-Rawaf*, 850 F.3d 605, 616 (4th Cir. 2017), *pet. for cert. filed*, No. 17-154 (U.S. Jul. 28, 2017) (recognizing that “[c]onclusory allegations and speculation will not suffice” to defeat summary judgment); *Huff v. N.C. Dep’t of Pub. Safety*, 782 S.E.2d 926 (N.C. Ct. App.) (holding that Huff’s “State employment with the State Highway Patrol did not meet the statutory minimum for qualification as a career State employee”), *rev. denied*, *Huff v. N.C. Dep’t of Pub. Safety*, 793 S.E.2d 222 (N.C. 2016). 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