

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 17-1688

ROBERT M. MILLER,

Plaintiff - Appellant,

v.

MARTIN J. GRUENBERG, Chairman, Federal Deposit Insurance Corporation,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Liam O'Grady, District Judge. (1:16-cv-00856-LO-MSN)

Submitted: September 29, 2017

Decided: October 20, 2017

Before MOTZ, WYNN, and HARRIS, Circuit Judges.

Affirmed as modified by unpublished per curiam opinion.

Robert Michael Miller, Appellant Pro Se. Joseph Brooks, FEDERAL DEPOSIT INSURANCE CORPORATION, Arlington, Virginia, Antonia Marie Konkoly, OFFICE OF THE UNITED STATES ATTORNEY, Alexandria, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Robert Michael Miller appeals the district court's order dismissing with prejudice his claims under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e–2000e-17 (2012); the Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621–634 (2012); the Rehabilitation Act of 1973, as amended, 29 U.S.C.A. §§ 701–7961 (West 2008 & Supp. 2017); and the Civil Service Reform Act of 1978, Pub. L. No. 95-454, 92 Stat. 1111 (codified, as amended, in various sections of Title 5, United States Code). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. *Miller v. Gruenberg*, No. 1:16-cv-00856-LO-MSN (E.D. Va. Mar. 31, 2017). However, because the district court dismissed Miller's claim seeking review of adverse grievance decisions for lack of subject matter jurisdiction, we modify the judgment to reflect that the dismissal of this claim is without prejudice. *See S. Walk at Broadlands Homeowner's Ass'n v. OpenBand at Broadlands, LLC*, 713 F.3d 175, 185 (4th Cir. 2013).

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 AS MODIFIED