**UNPUBLISHED**

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

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**No. 19-2156**

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DAVID LONDON,

Plaintiff - Appellant,

v.

LOYOLA HIGH SCHOOL OF BALTIMORE, INC., trading as Loyola Blakefield,

Defendant - Appellee.

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Appeal from the United States District Court for the District of Maryland, at Baltimore. Deborah K. Chasanow, Senior District Judge. (1:17-cv-02219-DKC)

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Submitted: May 15, 2020 Decided: May 28, 2020

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Before AGEE, THACKER, and RUSHING, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Robin R. Cockey, Ashley A. Bosché, COCKEY, BRENNAN & MALONEY, PC, Salisbury, Maryland, for Appellant. Kevin C. McCormick, Katelyn P. Brady, WHITEFORD, TAYLOR & PRESTON, LLP, Baltimore, Maryland, for Appellee.

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PER CURIAM:

David London, who was formerly employed by Loyola High School of Baltimore, Inc. ("Loyola"), appeals the district court's order granting Loyola summary judgment on London's employment discrimination and retaliation claims, which were brought pursuant to Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e to 2000e-17 (2018); the Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621 to 634 (2018); and the Americans with Disabilities Act, 42 U.S.C. §§ 12101 to 12213 (2018), and declining to exercise supplemental jurisdiction over London's state law claims brought pursuant to Md. Code Ann., State Gov't Title 20 (West 2017). London asserts that the district court erroneously considered the evidence in the light most favorable to Loyola when it granted summary judgment on his disability discrimination claim premised on Loyola's failure to renew his contract and that the district court invaded the province of the jury when it granted summary judgment on his retaliation claims. Finding no error, we affirm.

We review de novo the district court's decision to grant summary judgment. *Smith v. Gilchrist*, 749 F.3d 302, 307 (4th Cir. 2014). In this regard, summary judgment is appropriate only when there is no genuine issue of material fact and the movant is entitled to judgment as a matter of law. *See Seremeth v. Bd. of Cty. Comm'rs Frederick Cty.*, 673 F.3d 333, 336 (4th Cir. 2012). In determining whether a genuine issue of material fact exists, we view the facts, and draws all reasonable inferences therefrom, in the light most favorable to the non-moving party. *See Bonds v. Leavitt*, 629 F.3d 369, 380 (4th Cir. 2011).

To defeat summary judgment, however, a plaintiff must present sufficient evidence to allow reasonable jurors to find that he has proven his claims by a preponderance of the

evidence. *See Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 247-49 (1986). To accomplish this task, a plaintiff "must do more than simply show that there is some metaphysical doubt as to the material facts." *Matsushita Elec. Indus. Co. v. Zenith Radio Corp.*, 475 U.S. 574, 586 (1986). Indeed, to avoid summary judgment, a plaintiff "must rely on more than conclusory allegations, mere speculation, the building of one inference upon another, or the mere existence of a scintilla of evidence." *Dash v. Mayweather*, 731 F.3d 303, 311 (4th Cir. 2013).

We have reviewed the record and considered London's arguments and find no reversible error. Accordingly, we affirm the district court's order. *See London v. Loyola High Sch. of Balt., Inc.*, No. 1:17-cv-02219-DKC (D. Md. Sept. 25, 2019). 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*