

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 20-1615**

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DAVID M. SHIPP,

Plaintiff - Appellant,

v.

ERIC HARGAN, Acting Secretary of Health and Human Services,

Defendant - Appellee.

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Appeal from the United States District Court for the District of Maryland, at Greenbelt.  
Paula Xinis, District Judge. (8:17-cv-03365-PX)

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Submitted: March 24, 2023

Decided: May 1, 2023

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Before NIEMEYER, Circuit Judge, and KEENAN and FLOYD, Senior Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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David M. Shipp, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

David M. Shipp appeals the district court's order granting summary judgment to Defendant prior to formal discovery on Shipp's complaint alleging employment discrimination and retaliation, in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e to 2000e-17. He also challenges the district court's earlier order dismissing his complaint in part for failure to exhaust his administrative remedies.\* We have reviewed the record and find no reversible error. *See Shaw v. Foreman*, 59 F.4th 121, 128-29 (4th Cir. 2023); *Corder v. Antero Res. Corp.*, 57 F.4th 384, 401 (4th Cir. 2023) (collectively stating standards). Accordingly, we affirm the district court's judgment. *Shipp v. Hargan*, No. 8:17-cv-03365-PX (D. Md. Jan. 24, 2019 & Mar. 27, 2020). We deny Shipp's pending motions. 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*

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\* We previously remanded this case to the district court for the limited purpose of determining whether Shipp timely filed his notice of appeal. The district court concluded that he did and returned the case to this court for further review.