

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 20-1658

JAVID BAYANDOR,

Plaintiff - Appellant,

v.

VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY;
COMMONWEALTH OF VIRGINIA; THANASSIS RIKAKIS, in his official
capacity as Provost of Virginia Polytechnic and State University and in his individual
capacity,

Defendants - Appellees,

and

BOARD OF VISITORS, Virginia Polytechnic Institute And State University,

Defendant.

Appeal from the United States District Court for the Western District of Virginia, at
Roanoke. Elizabeth Kay Dillon, District Judge. (7:18-cv-00026-EKD)

Submitted: November 30, 2020

Decided: December 15, 2020

Before THACKER, HARRIS, and QUATTLEBAUM, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Thomas E. Strelka, STRELKA EMPLOYMENT LAW, Roanoke, Virginia, for Appellant. Mark K. Herring, Attorney General, Keonna C. Austin, Deputy Attorney General, Deborah A. Love, Senior Assistant Attorney General, Kay Heidbreder, University Legal Counsel, M. Hudson McClanahan, Associate University Legal Counsel, Toby J. Heytens, Solicitor General, Michelle S. Kallen, Martine E. Cicconi, Deputy Solicitors General, Jessica Merry Samuels, Assistant Solicitor General, Zachary R. Glubiak, John Marshall Fellow, OFFICE OF THE ATTORNEY GENERAL, Richmond, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Javid Bayandor, a former associate professor at Virginia Polytechnic Institute and State University, brought the action underlying this appeal against the University; the Commonwealth of Virginia; the former provost of the University, Thanassis Rikakis; and the University's Board of Visitors, alleging claims arising out of the Defendants' decision to deny Bayandor tenure. The district court granted the Defendants' motion to dismiss Bayandor's claims after determining that several claims were untimely and that others failed to state claims upon which relief could be granted. We have considered the parties' arguments and have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. *See Bayandor v. Va. Polytechnic & State Univ.*, No. 7:18-cv-00026-EKD (W.D. Va. Mar. 25, 2019; May 20, 2020). 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