

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 21-1393

ALESSANDRO GRAVINA,

Plaintiff - Appellant,

v.

XAVIER BECERRA, Secretary, U.S. Department of Health and Human Services,

Defendant - Appellee.

Appeal from the United States District Court for the District of Maryland, at Greenbelt.
Paula Xinis, District Judge. (8:19-cv-02993-PX)

Submitted: November 18, 2021

Decided: November 19, 2021

Before MOTZ, THACKER, and HARRIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Dionna Maria Lewis, DISTRICT LEGAL GROUP, PLLC, Washington, D.C., for Appellant. Jonathan F. Lenzner, Acting United States Attorney, Kelly M. Marzullo, Assistant United States Attorney, OFFICE OF THE UNITED STATES ATTORNEY, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Alessandro Gravina appeals the district court's order granting summary judgment in favor of the Secretary of the U.S. Department of Health and Human Services and dismissing as untimely Gravina's complaint filed pursuant to Title VII of the Civil Rights Act of 1964 (Title VII), as amended, 42 U.S.C. §§ 2000e to 2000e-17. On appeal, Gravina fails to challenge the dispositive portion of the district court's order regarding the timeliness of his complaint: namely, the court's finding that the 90-day period in which Gravina was required to file his complaint began on the presumptive date that he personally received notice of his right to sue, regardless of when his attorney received the notice. Accordingly, Gravina has waived review of the dispositive portion of the district court's order. *See Abdul-Mumit v. Alexandria Hyundai, LLC*, 896 F.3d 278, 290 (4th Cir. 2018) (“[C]ontentions not raised in the argument section of the opening brief are abandoned.” (internal quotation marks omitted)). In any event, upon review, we discern no error in the district court's timeliness analysis. We therefore affirm the district court's judgment. 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