

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-1143

FRANCIS P. CASTO,

Plaintiff - Appellant,

v.

DEPARTMENT OF DEFENSE, Defense Intelligence Agency; MARK
BOGART, Defense Intelligence Agency,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of Virginia, at Alexandria. Gerald Bruce Lee, District
Judge. (1:06-cv-00933-GBL-BRP)

Submitted: May 22, 2008

Decided: May 28, 2008

Before MOTZ and DUNCAN, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Francis P. Casto, Appellant Pro Se. R. Joseph Sher, Assistant
United States Attorney, Alexandria, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Francis P. Casto appeals the district court's order accepting the recommendation of the magistrate judge and granting summary judgment in favor of his former employer on his employment discrimination action brought under the Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634 (2000). This court reviews a district court's grant of summary judgment de novo. Livingston v. Wyeth, Inc., 520 F.3d 344, 350 (4th Cir. 2008). Summary judgment may only be granted when "there is no genuine issue as to any material fact and . . . the movant is entitled to judgment as a matter of law." Fed. R. Civ. P. 56(c). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Casto v. Dep't of Defense, No. 1:06-cv-00933-GBL-BRP (E.D. Va. Dec. 28, 2007). We deny Casto's pending motions to expedite and to exclude appendix. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED