

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-1480

JUPITER DENNELL WILSON, SR.,

Plaintiff - Appellant,

v.

CITY OF CHESAPEAKE; CITY OF CHESAPEAKE FIRE DEPARTMENT;
CHIEF EDMOND ELLIOT, in their individual and official
capacity; DEPUTY CHIEF DAN FERMIL, in their individual and
official capacity; DEPUTY CHIEF ALVIN ELLIS, in their
individual and official capacity; DIVISION CHIEF JEFFREY
RABEAU, in their individual and official capacity; BATTALION
CHIEF CARLTON ACKISS, in their individual and official
capacity; CAPTAIN MICHAEL TORTURA, in their individual and
official capacity; LIEUTENANT WILLIAM DISAROON, in their
individual and official capacity; LIEUTENANT DUANE DAGGERS,
in their individual and official capacity; LIEUTENANT JERRY
BOHN, in their individual and official capacity,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of Virginia, at Norfolk. Mark S. Davis, District
Judge. (2:14-cv-00420-MSD-DEM)

Submitted: September 9, 2015

Decided: September 11, 2015

Before SHEDD, WYNN, and FLOYD, Circuit Judges.

Affirmed as modified by unpublished per curiam opinion.

Jupiter Dennell Wilson, Sr., Appellant Pro Se. Melissa Anne Hamann, Dana English Sanford, OFFICE OF THE CITY ATTORNEY, Chesapeake, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jupiter Wilson, Sr., appeals the district court's order granting Defendants' motion to dismiss his action alleging violations of Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. §§ 2000e to 2000e-17 (West 2012 & Supp. 2015), and the Age Discrimination in Employment Act of 1967, 29 U.S.C.A. §§ 621 to 634 (West 2008 & Supp. 2015). We have reviewed the record and find no reversible error. Accordingly, although we modify the dismissal order to reflect that the district court's dismissal of the individual defendants in their official capacities is without prejudice, we affirm the dismissal as modified. Wilson v. City of Chesapeake, No. 2:14-cv-00420-MSD-DEM (E.D. Va. filed Apr. 3 & entered Apr. 6, 2015). 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 AS MODIFIED