



Neutral

As of: June 11, 2014 4:03 PM EDT

## Butts v. Donley

United States Court of Appeals for the Fourth Circuit  
February 10, 2011, Submitted; February 16, 2011, Decided  
No. 09-2236

**Reporter:** 411 Fed. Appx. 581; 2011 U.S. App. LEXIS 3093

MICHAEL C. BUTTS, Plaintiff – Appellant, v. MICHAEL B. DONLEY, Acting Secretary, Department of the Air Force, Defendant – Appellee.

**Judges:** Before WILKINSON and DAVIS, Circuit Judges, and HAMILTON, Senior Circuit Judge.

**Notice:** PLEASE REFER TO *FEDERAL RULES OF APPELLATE PROCEDURE RULE 32.1* GOVERNING THE CITATION TO UNPUBLISHED OPINIONS.

### Opinion

[\*581] PER CURIAM:

**Prior History:** [\*\*1] Appeal from the United States District Court for the District of Maryland, at Greenbelt. (8:08-cv-01963-AW). Alexander Williams, Jr., District Judge.

[Butts v. Donley, 2009 U.S. Dist. LEXIS 77186 \(D. Md., Aug. 28, 2009\)](#)

**Disposition:** AFFIRMED.

Michael C. Butts appeals the district court’s order granting Defendant’s motion for summary judgment on his race and age discrimination claims, brought pursuant to Title VII of the Civil Rights Act of 1964, as amended, [42 U.S.C.A. §§ 2000e to 2000e-17](#) (West 2003 & Supp. 2010), and the Age Discrimination in Employment Act of 1967, as amended, [29 U.S.C.A. §§ 621 to 634](#) (West 2008 & Supp. 2010), and denying his *Fed. R. Civ. P. 56(f)* motion for discovery. We have reviewed the record and find no reversible error. Accordingly, we affirm the district court’s order. See [Butts v. Donley, No. 8:08-cv-01963-AW, 2009 U.S. Dist. LEXIS 77186 \(D. Md. Aug. 28, 2009\)](#). We dispense with oral argument because the facts and legal contentions are adequately presented [\*\*2] in the materials before the court and argument would not aid the decisional process.

### Core Terms

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**Counsel:** Daniel K. Gebhardt, Charles W. Day, Jr., GEBHARDT & ASSOCIATES, LLP, Washington, D.C., for Appellant.

Rod J. Rosenstein, United States Attorney, [Melanie L. Glickson](#), Assistant United States Attorney, Baltimore, Maryland, for Appellee.

AFFIRMED