

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 09-1831**

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NATHANIEL J. FAUBER,

Plaintiff - Appellant,

v.

VIRGINIA ARMY NATIONAL GUARD; STATE OF VIRGINIA; UNITED  
STATES OF AMERICA; SALEM VETERANS HOSPITAL,

Defendants - Appellees.

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Appeal from the United States District Court for the Western  
District of Virginia, at Harrisonburg. James C. Turk, Senior  
District Judge. (5:08-cv-00068-jct)

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Submitted: September 10, 2009

Decided: September 14, 2009

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Before KING, DUNCAN, and AGEE, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Nathanial J. Fauber, Appellant Pro Se. Christy Monolo, OFFICE  
OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, Rick A.  
Mountcastle, OFFICE OF THE UNITED STATES ATTORNEY, Roanoke,  
Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Nathaniel J. Fauber appeals the district court's order denying his motion to reconsider the district court's previous order dismissing his civil complaint. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Fauber v. Virginia Army Nat'l Guard, No. 5:08-cv-00068-jct (W.D. Va. filed June 30, 2009; entered July 2, 2009).<sup>\*</sup> 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

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<sup>\*</sup> To the extent Fauber seeks to appeal the district court's order of April 13, 2009 granting the Appellees' respective motions to dismiss and quash, the appeal is clearly untimely. See Fed. R. App. P. 4(a)(1).