

Appendix A

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 24-2167

CLINTON BRINSON,

Plaintiff - Appellant,

v.

WALMART, INC.,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of North Carolina, at
Raleigh. James C. Dever III, District Judge. (5:24-cv-00079-D-KS)

Submitted: March 27, 2025

Decided: March 31, 2025

Before THACKER and BERNER, Circuit Judges, and KEENAN, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Clinton Brinson, Appellant Pro Se. Kevin Michael Cleys, Kellie Anne Tabor, LITTLER
MENDELSON PC, Charlotte, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Clinton Brinson appeals the district court's order granting Defendant's motion to dismiss or, in the alternative for, summary judgment on Brinson's claims brought pursuant to the American with Disabilities Act, 42 U.S.C. §§ 12101 to 12213, and North Carolina's Retaliatory Employment Discrimination Act, N.C. Gen. Stat. §§ 95-240 to 95-245. Limiting our review to the issues Brinson raises in his informal opening and supplemental briefs,* *see* 4th Cir. R. 34(b); *see also* *Jackson v. Lightsey*, 775 F.3d 170, 177 (4th Cir. 2014) ("The informal brief is an important document; under Fourth Circuit rules, our review is limited to issues preserved in that brief."), we find no reversible error. Accordingly, we affirm the district court's order, *Brinson v. Walmart, Inc.*, No. 5:24-cv-00079-D-KS (E.D.N.C. filed Sept. 25, 2024 & entered Sept. 26, 2024). 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

* We deny Appellee's motion to strike Brinson's informal supplemental brief or, in the alternative, for leave to file a supplemental informal response brief.

Appendix ~~A~~ B

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

CLINTON BRINSON,)
)
Plaintiff)
)
vs.)
)
WALMART, INC.,)
)
)
)
Defendant.)

**JUDGMENT IN A CIVIL CASE
CASE NO. 5:24-CV-79-D**

Decision by Court.

IT IS ORDERED, ADJUDGED, AND DECREED that for the reasons stated in defendant's memorandum in support of its motion to dismiss or, in the alternative, for summary judgment [D.E. 15] and in its reply brief [D.E. 19], the court GRANTS defendant's motion to dismiss for failure to state a claim or, in the alternative, for summary judgment [D.E. 14]. The court DISMISSES WITHOUT PREJUDICE plaintiff's complaint.

This Judgment filed and entered on September 26, 2024, and copies to:

Kellie A. Tabor (via CM/ECF electronic notification)
Kevin M. Cleys (via CM/ECF electronic notification)
Clinton Brinson (via US Mail to 1001 Addison Place, Raleigh, NC 27610)

September 26, 2024

Peter A. Moore, Jr.

Clerk of Court

By: /s/ Stephanie Mann

Deputy Clerk

Appendix ~~XXXX~~ C

FILED: August 19, 2025

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 24-2167
(5:24-cv-00079-D-KS)

CLINTON BRINSON

Plaintiff - Appellant

v.

WALMART, INC.

Defendant - Appellee



ORDER

The court denies the petition for rehearing and rehearing en banc. No judge requested a poll under Fed. R. App. P. 40 on the petition for rehearing en banc.

Entered at the direction of the panel: Judge Thacker, Judge Berner, and Senior Judge Keenan.

For the Court

/s/ Nwamaka Anowi, Clerk

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available in the
Clerk's Office.**