

UNPUBLISHED
UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

GREG FERGUSON; FERGUSON &
ASSOCIATES, PA,
Plaintiffs-Appellants,

v.

RICHARD J. MAITA, Esq.; LISA N.
HOOPER; ALICE COPE; GOLDSTAR
MORTGAGE COMPANY, INCORPORATED;
TROY DILLS; FIRST GREENSBORO
HOME EQUITY INCORPORATED;
RIDGEVIEW MORTGAGE ASSOCIATES,
INCORPORATED; FIDELITY NATIONAL
TITLE INSURANCE COMPANY OF NEW
YORK,
Defendants-Appellees.

No. 00-2242

Appeal from the United States District Court
for the Western District of North Carolina, at Asheville.
Lacy H. Thornburg, District Judge.
(CA-99-225-1-T)

Submitted: May 22, 2001

Decided: July 25, 2001

Before NIEMEYER, MICHAEL, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

COUNSEL

John N. Ellison, ANDERSON, KILL & OLICK, P.C., Philadelphia,
Pennsylvania, for Appellants. Robert B. Long, Jr., Phillip S. Ander-

son, LONG, PARKER, WARREN & JONES, P.A., Asheville, North Carolina; James W. Williams, ROBERTS & STEVENS, P.A., Asheville, North Carolina; Ervin L. Ball, Jr., BALL, BARDEN & BELL, P.A., Asheville, North Carolina; David W. Cartner, CARTNER & CARTNER, Asheville, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

OPINION

PER CURIAM:

Greg Ferguson and Ferguson & Associates, P.A. ("Appellants"), appeal the district court's order, which accepted in part and rejected in part the magistrate judge's recommendation, granting Defendants/Appellees' motion filed under Fed. R. Civ. P. 12(b)(6), and dismissing Appellants' claims alleging violations of the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C.A. § 1962(c), (d) (West 2000), and the Lanham Act, 15 U.S.C.A. § 1125(a) (West 1998 & Supp. 2000). The district court declined to exercise supplemental jurisdiction over Appellants' state law claims and denied Appellants' motion for leave to file a second amended complaint. We have previously granted the motion to submit the case for a decision on the briefs, without oral argument.

This court reviews de novo the district court's order granting a Rule 12(b)(6) motion and reviews for an abuse of discretion the court's denial of a motion to amend the complaint. *GE Inv. Private Placement Partners II v. Parker*, ___ F.3d ___, 2001 WL 392413, at *2-*3 (4th Cir. Apr. 18, 2001). We have reviewed the parties' briefs, the joint appendix, the district court's opinion, and Appellants' supplemental material submitted in accordance with Fed. R. App. P. 28(j), in light of the applicable standards of review and find no reversible error in the district court's decision to grant the Rule 12(b)(6) motion. Nor do we find any abuse of discretion in the court's denial

of the motion to amend. Accordingly, we affirm on the reasoning of the district court. *Ferguson v. Maita*, No. CA-99-225-1-T (W.D.N.C. Aug. 24, 2000).

AFFIRMED