

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-1121

STEPHEN SIMON, individually and as ultimate
assignee of Humanistic Mental Health
foundation,

Plaintiff - Appellant,

versus

GROUP INSURANCE PLAN FOR AEROSPACE EMPLOYEES
OF MARTIN MARIETTA, a/k/a Group Benefits Pro-
gram for Salaried Employees of Martin Marietta
Corporation; MARTIN MARIETTA CORPORATION, as
Plan Administrator,

Defendants - Appellees,

and

EVA CARLSON, individually and as fiduciary;
JOHN RUST, individually and as fiduciary; TOM
KINSTLE, individually and as fiduciary,

Defendants.

Appeal from the United States District Court for the District of
Maryland, at Greenbelt. Peter J. Messitte, District Judge. (CA-
99-3463-PJM)

Submitted: July 10, 2001

Decided: July 27, 2001

Before MICHAEL, TRAXLER, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Stephen Simon, Appellant Pro Se. J. Eric Paltell, Lynn A. Clements, PIPER, MARBURY, RUDNICK & WOLFE, L.L.P., Baltimore, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Stephen Simon appeals the district court's order dismissing his Rule 12(b)(6) claim. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Simon v. Group Ins. Plan, No. CA-99-3463-PJM (D. Md. Dec. 20, 2000). No member of this court requested that a poll be taken with respect to Simon's Suggestion For Hearing En Banc. Accordingly, we deny that petition. 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