

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-1566

UNITED STATES OF AMERICA, for the use and
benefit of Tri-M Electrical Contractors,
Incorporated,

Plaintiff - Appellant,

versus

ADAMS CONSTRUCTION COMPANY, INCORPORATED;
UNITED STATES FIDELITY AND GUARANTY COMPANY,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Greenwood. Solomon Blatt, Jr., Senior District
Judge. (CA-99-799-9-8)

Submitted: October 10, 2001

Decided: October 22, 2001

Before WILKINS, NIEMEYER, and LUTTIG, Circuit Judges.

Affirmed by unpublished per curiam opinion.

William M. Koontz, Steven L. Smith, SMITH & COLLINS, North Charles-
ton, South Carolina, for Appellant. Daniel J. Weber, Atlanta,
Georgia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Tri-M Electrical Contractors, Incorporated ("Tri-M") appeals a district court order granting partial summary judgment to Adams Construction Company Incorporated and United States Fidelity & Guaranty Company dismissing Tri-M's claim under the Miller Act, 40 U.S.C.A. §§ 270a et seq. (West 1986 & Supp. 2001), and dismissing the remaining claims without prejudice. We have reviewed the record and the district court's oral findings and find no error. See United States f/u/b Interstate Mechanical Construction v. International Fidelity Ins. Co., 200 F.3d 456 (6th Cir. 2000); United States f/u/b Noland Co. v. Andrews, 406 F.2d 790 (4th Cir. 1969). Accordingly, we affirm on the reasoning of the district court. See United States f/u/b v. Adams Constr. Co., No. CA-99-799-9-8 (D.S.C. filed Mar. 26, 2001; entered Mar. 28, 2001). 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