

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 01-2169

EDWARD D. YANG; HELEN BAO HONG YANG,

Plaintiffs - Appellants,

versus

HOLDEN H. LEE,

Defendant - Appellee.

Appeal from the United States District Court for the District of Maryland, at Greenbelt. Peter J. Messitte, District Judge. (CA-01-257-PJM)

Submitted: March 5, 2002

Decided: April 16, 2002

Before NIEMEYER, TRAXLER, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

John Christopher Belcher, Oxon Hill, Maryland, for Appellant. Douglas J. Behr, Frank J. Vitolo, Luther L. Hajek, KELLER & HECKMAN, L.L.P., Washington, D.C., for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Edward and Helen Bao Hong Yang ("Plaintiffs") appeal the district court's order dismissing their complaint against Holden Lee in their action for intentional misrepresentation, breach of contract, defamation, extortion, and intentional infliction of emotional distress. We affirm.

We review a district court's Fed. R. Civ. P. 12(b)(6) dismissal for failure to state a claim upon which relief may be granted de novo. Flood v. New Hanover County, 125 F.3d 249, 251 (4th Cir. 1997). In considering a motion to dismiss, we accept the complainant's well-pleaded allegations as true and view the complaint in the light most favorable to the non-moving party. Mylan Labs., Inc. v. Matkari, 7 F.3d 1130, 1134 (4th Cir. 1993).

With these standards in mind, we affirm the district court's order dismissing Plaintiffs' complaint based upon the reasoning of its memorandum opinion. See Yang v. Lee, 163 F. Supp.2d 554 (D. Md. 2001). We also deny Lee's motion for sanctions. 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