

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-2185

FRANK A. BALCAR,

Plaintiff - Appellant,

versus

BELL & ASSOCIATES LLC; HARRY F. BELL, JR., AIC Attorney; WILLIAM L. BANDS, AIC Attorney; AVEMCO INSURANCE COMPANY; A. CHURCHEY, West Virginia Resident Agent; CAROLE HARTMAN, West Virginia Resident Agent; JOHN WATSON; GREGG A. PIKE; RICHARD BOESCHEN; STEVEN M. HOMENDA; GENE SCHEIL; RICHARD HOMEL, AIC Managing General Agents; JAMES NELSON, AIC Vice President; JOHN DOES, 1 thru 20 as they may appear; THOMAS OFFUTT, AIC Assistant Vice President - Legal,

Defendants - Appellees.

Appeal from the United States District Court for the Northern District of West Virginia, at Wheeling. Frederick P. Stamp, Jr., District Judge. (CA-02-2-5)

Submitted: December 16, 2002

Decided: December 19, 2002

Before LUTTIG, MICHAEL, and MOTZ, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Frank A. Balcar, Appellant Pro Se. William L. Bands, BELL & BANDS, P.L.L.C., Charleston, West Virginia; Charles M. Love, III, Michael John Halaiko, BOWLES, RICE, MCDAVID, GRAFF & LOVE, P.L.L.C., Charleston, West Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Frank A. Balcar appeals the district court's orders denying his motion to remand, granting Defendants' motion to dismiss, and striking Balcar's response to Defendants' response to his motion for summary judgment. We have reviewed the record and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Balcar v. Bell & Assoc. L.L.C., No. CA-02-2-5 (N.D.W. Va. Sept. 4 & 10, 2002). Although we deny Appellees' motion for fees and costs, we caution Balcar that future appeals attempting to litigate the same issues adjudicated in this case may result in 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