

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-1410

PHILLIP LUMPKINS; MARLENE LUMPKINS,

Plaintiffs - Appellants,

versus

UNITED STATES OF AMERICA,

Defendant - Appellee,

and

SOUTHERN INSULATION, INCORPORATED;
MISCELLANEOUS METALS, INCORPORATED; LVI
ENVIROMENTAL SERVICES OF MARYLAND,
INCORPORATED; LVI ENVIROMENTAL SERVICES OF
FLORIDA, INCORPORATED,

Defendants,

and

HILL INTERNATIONAL, INCORPORATED,

Third Party Plaintiff,

W.M. SCHLOSSER COMPANY, INCORPORATED,

Third Party Defendant.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Catherine C. Blake, District Judge. (CA-01-2730-CCB)

Submitted: October 3, 2003

Decided: October 24, 2003

Before WILKINSON, KING, and TRAXLER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

William F. Mulroney, Patrick M. Wysong, ASHCRAFT & GEREL, L.L.P., Baltimore, Maryland, for Appellant. Thomas M. DiBiagio, United States Attorney, Thomas F. Corcoran, Assistant United States Attorney, Baltimore, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Phillip and Marlene Lumpkins appeal the district court's order granting the United States' motion to dismiss their action under the Federal Tort Claims Act for lack of jurisdiction under Fed. R. Civ. P. 12(b)(1). We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Lumpkins v. United States, No. CA-01-2730-CCB (D. Md. filed Aug. 7, 2002 & entered Aug. 8, 2002). 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