

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-1072

AUGUSTINE F. FORKWAR,

Plaintiff - Appellant,

v.

PROGRESSIVE NORTHERN INSURANCE COMPANY; PROGRESSIVE CLASSIC
INSURANCE COMPANY,

Defendants - Appellees.

Appeal from the United States District Court for the District of
Maryland, at Greenbelt. Alexander Williams, Jr., District
Judge. (8:11-cv-03482-AW)

Submitted: July 15, 2013

Decided: August 2, 2013

Before NIEMEYER and SHEDD, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Timothy F. Maloney, Joseph M. Creed, JOSEPH, GREENWALD & LAAKE,
P.A., Greenbelt, Maryland, for Appellant. Angus R. Everton,
MORGAN CARLO DOWNS & EVERTON P.A., Hunt Valley, Maryland, for
Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

This case involves a coverage dispute under a commercial auto liability insurance policy. On appeal, Augustine Forkwar (Plaintiff) challenges the district court's grant of summary judgment in favor of Progressive Northern Insurance Company (Defendant) with respect to Plaintiff's claims alleging breach of contract and entitlement to declaratory relief.

Our careful review of the briefing, appellate record, and relevant law compels us to conclude that the district court did not err in granting summary judgment in favor of Defendant. We affirm on the reasoning of the district court, as stated in its well-reasoned December 14, 2012 memorandum opinion.* Forkwar v. Progressive N. Ins. Co., 910 F. Supp. 2d 815 (D.Md. 2012).

* We note that Plaintiff named codefendant Progressive Classic Insurance Company as an appellee in this case, but did not present any argument in his opening appellate brief challenging the district court's grant of summary judgment below in favor of Progressive Classic Insurance Company. Accordingly, we deem Plaintiff to have abandoned his appeal with respect to Progressive Classic Insurance Company. See Wahi v. Charleston Area Med. Ctr., Inc., 562 F.3d 599, 607 (4th Cir. 2009) ("Federal Rule of Appellate Procedure 28(a)(9)(A) requires that the argument section of an appellant's opening brief must contain the 'appellant's contentions and the reasons for them, with citations to the authorities and parts of the record on which the appellant relies.' Because [appellant] Wahi has failed to comply with the specific dictates of Rule 28(a)(9)(A), we conclude that he has waived his claims").

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