

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-1240

MICHAEL E. KENNEDY,

Plaintiff - Appellant,

v.

NCO GROUP, INC.; NCO FINANCIAL SYSTEMS,

Defendants - Appellees.

Appeal from the United States District Court for the District of Maryland, at Baltimore. James K. Bredar, District Judge. (1:12-cv-02659-JKB)

Submitted: June 20, 2013

Decided: June 25, 2013

Before GREGORY, DUNCAN, and DAVIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Michael Edward Kennedy, Appellant Pro Se. Erin O'Brien Millar, WHITEFORD, TAYLOR & PRESTON, LLP, Baltimore, Maryland; Michael David Slodov, SESSIONS FISHMAN NATHAN & ISRAEL, LLC, Chagrin Falls, Ohio, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael E. Kennedy appeals the district court's order granting the Defendants' motion to dismiss Kennedy's civil complaint for failure to state a claim. Fed. R. Civ. P. 12(b)(6). We review de novo a district court's dismissal for failure to state a claim, "assuming all well-pleaded, non-conclusory factual allegations in the complaint to be true." Aziz v. Alcolac, Inc., 658 F.3d 388, 391 (4th Cir. 2011); see Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007) (identifying standard for stating a claim). Having done so, we affirm the judgment of the district court, agreeing that each of Kennedy's claims is either factually or legally deficient.* We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED

* We decline to review the first, second, and fifth issues in Kennedy's informal brief because they are based on arguments not made to the district court in the first instance. See Muth v. United States, 1 F.3d 246, 250 (4th Cir. 1993).