

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-2048

JOSEPHAT MUA; FRANCOISE VANDENPLAS,
Plaintiffs - Appellants,

v.

CALIFORNIA CASUALTY INDEMNITY EXCHANGE; MARSDEN & SELEDEE,
LLC,

Defendants - Appellees.

Appeal from the United States District Court for the District of
Maryland, at Greenbelt. Peter J. Messitte, Senior District
Judge. (8:14-cv-03810-PJM)

Submitted: February 25, 2016 Decided: February 29, 2016

Before SHEDD and HARRIS, Circuit Judges, and DAVIS, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Josephat Mua, Francoise Vandenplas, Appellants Pro Se. Thomas
V. McCarron, James Olin Spiker, IV, SEMMES, BOWEN & SEMMES,
Baltimore, Maryland; Joel D. Seledde, MARSDEN & SELEDEE, LLC,
Baltimore, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Appellants, Josephat Mua and Francoise Vandenplas, appeal the district court's order: (1) dismissing with prejudice their claims stemming from California Casualty Indemnity Exchange's ("CCIE") non-renewal of an automobile insurance policy and failure to pay benefits, and Marsden & Seledde, LLC's participation in a related state court action seeking the recovery of money CCIE wrongfully paid Appellants for property damage; and (2) dismissing without prejudice for lack of subject matter jurisdiction Appellants' claims for non-property damage benefits payable under the insurance policy. Appellants have filed several motions with this court, including a motion to place this appeal in abeyance pending resolution of the related state court case, and a motion for leave to file a motion to vacate the district court's judgment.

Appellants' failure to challenge on appeal the district court's dispositive holdings amounts to a waiver of appellate review over those holdings. See 4th Cir. R. 34(b) ("The Court will limit its review to the issues raised in the informal brief."); United States v. Al-Hamdi, 356 F.3d 564, 571 n.8 (4th Cir. 2004) ("It is a well settled rule that contentions not raised in the argument section of the opening brief are abandoned."). To the extent Appellants seek to raise new claims against Appellees, Appellants may not do so for the first time

on appeal. See Robinson v. Wix Filtration Corp. LLC, 599 F.3d 403, 411 n.10 (4th Cir. 2010) (“We have previously made it clear that the failure to present an argument to the district court constitutes waiver before this court.”); Muth v. United States, 1 F.3d 246, 250 (4th Cir. 1993) (noting that issues raised for the first time on appeal are waived unless plain error or a fundamental miscarriage of justice would result). Because we find no reversible error by the district court, we deny the pending motions and affirm the district court’s judgment. Mua v. Cal. Cas. Indem. Exch., No. 8:14-cv-03810-PJM (D. Md. filed Aug. 17, 2015, entered Aug. 19, 2015). 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