

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 96-1344

SHERRI L.; PATRICIA T.; PAUL T.,

Plaintiffs - Appellants,

versus

KANAWHA COUNTY BOARD OF EDUCATION; CARL B.
CURRIE; RANDALL TRAVIS,

Defendants - Appellees.

Appeal from the United States District Court for the Southern
District of West Virginia, at Charleston. John T. Copenhaver, Jr.,
District Judge. (CA-94-383-2)

Argued: June 3, 1997

Decided: July 2, 1997

Before HALL and MICHAEL, Circuit Judges, and TILLEY, United States
District Judge for the Middle District of North Carolina, sitting
by designation.

Affirmed by unpublished per curiam opinion.

ARGUED: Robert Clarke VanDervort, ROBINSON & MCELWEE, Charleston,
West Virginia, for Appellants. Jan L. Fox, STEPTOE & JOHNSON,
Charleston, West Virginia, for Appellee Board of Education; Marilyn
Tallman McClure, MCQUEEN, HARMON & POTTER, L.C., Charleston, West
Virginia, for Appellee Currie. **ON BRIEF:** William E. Robinson,
Brent D. Benjamin, ROBINSON & MCELWEE, Charleston, West Virginia,
for Appellants. David Paul Cleek, MCQUEEN, HARMON & POTTER, L.C.,
Charleston, West Virginia, for Appellee Currie.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Sherri L. and her parents, Patricia T. and Paul T., appeal the order granting summary judgment to the Kanawha County Board of Education, Carl Currie, and Randall Travis, in an action arising out of a relationship between Sherri and Currie that lasted from 1984 through 1986 or 1987. Sherri was a ninth grade student in 1984 and Currie was a coach at her school.

The action was filed on May 16, 1994, and the parties agree that West Virginia's two-year statute of limitations applies to all of the claims. When the various claims accrued was a matter of dispute. The district court held that each cause of action accrued at some point during the period of the improper relationship and, therefore, even taking into consideration the tolling of the statute of limitations until Sherri's eighteenth birthday on February 7, 1988, all of the claims were time-barred. Our review of the record, the district court's memorandum opinion, and the arguments of counsel discloses that this appeal is without merit. Accordingly, we affirm on the reasoning of the district court. Sherri L. v. Kanawha County Bd. of Educ., C/A No. 2:94-0383 (S.D.W.Va. March 1, 1996) ('Memorandum Order').

AFFIRMED