

UNPUBLISHED

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

FRANKLYN C. SHULMAN; ESTATE OF
EMANUEL V. SHULMAN; ERICAL
TRUST,
Plaintiffs-Appellants,

v.

CIGNA PROPERTY & CASUALTY
INSURANCE COMPANY; THE FEDERAL

No. 96-1697

INSURANCE COMPANY; CHUBB GROUP
OF INSURANCE COMPANIES,
Defendants-Appellees,

and

HUNTINGTON T. BLOCK INSURANCE
AGENCY, INCORPORATED,
Defendant.

Appeal from the United States District Court
for the Eastern District of Virginia, at Alexandria.
James C. Cacheris, Chief District Judge.
(CA-95-660-A)

Submitted: August 28, 1997

Decided: September 12, 1997

Before WILKINS, WILLIAMS, and MICHAEL, Circuit Judges.

Affirmed by unpublished per curiam opinion.

COUNSEL

Franklyn C. Shulman, Appellant Pro Se. Jonathan Seth Greenhill, LAW OFFICES OF IRA J. GREENHILL, New York, New York; Craig David Roswell, NILES, BARTON & WILMER, Baltimore, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

OPINION

PER CURIAM:

Appellants filed this diversity action in district court, seeking to recover from three insurance companies for the theft of four prints that Appellant Franklyn C. Shulman asserted were stolen from his apartment. The case went to a jury, which was unable to reach a verdict. A second jury decided in favor of defendants. Appellants filed a motion for judgment as a matter of law, Fed. R. Civ. P. 50(b), or for a new trial, Fed. R. Civ. P. 59(a). On the district court's denial of these motions, Appellants noted an appeal.

In reviewing the denial of a Rule 50(b) motion, we must uphold the district court's ruling unless we find, taking all the evidence in favor of the prevailing parties and giving them the benefit of all inferences, that no reasonable juror could have returned the challenged verdict. Trandes Corp. v. Guy F. Atkinson Co., 996 F.2d 655, 660 (4th Cir. 1993). That standard is not met in this case. Reasonable jurors could conclude here that Appellants failed to establish Shulman's ownership and possession of the prints in issue, or that he failed to comply with the terms of the policies.

We review denial of a Fed. R. Civ. P. 59 motion under an abuse of discretion standard. EEOC v. Lockheed Martin Corp., 116 F.3d

110, 112 (4th Cir. 1997). After considering the issues raised by Appellants, we find no such abuse in this case.

A review of the transcript convinces us that the district court did not allow counsel for Appellees to subvert the court's ruling as to introduction of certain background evidence concerning Shulman, and that opposing counsel did not engage in a psychological campaign to prejudice the jury against Shulman. Appellants' complaints against their own trial counsel do not entitle them to relief on appeal. We find no merit in any of the other claims raised by Appellants.

Accordingly, we grant Appellees' motions for summary affirmance. We deny Appellants' motions for general relief and for sanctions. 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