

UNPUBLISHED

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 98-2550**

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JOHN WESLEY OWNBY, JR.,

Plaintiff - Appellant,

versus

JAMES GUY COHEN; JIM BECK, INCORPORATED; W.  
STEPHEN SCOTT,

Defendants - Appellees,

and

HELEN PARRISH,

Defendant.

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Appeal from the United States District Court for the Western District of Virginia, at Charlottesville. James H. Michael, Jr., Senior District Judge. (CA-98-19-C)

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Submitted: June 29, 1999

Decided: September 23, 1999

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Before WILKINS and NIEMEYER, Circuit Judges, and HALL,\* Senior Circuit Judge.

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\* Senior Judge Hall was assigned to the panel in this case but died prior to the time the decision was filed. The decision is filed by a quorum of the panel pursuant to 28 U.S.C. § 46(d).

Affirmed by unpublished per curiam opinion.

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John Wesley Ownby, Jr., Appellant Pro Se. Joseph William Wright, III, Hawthorne Dill Battle, III, MCGUIRE, WOODS, BATTLE & BOOTHE, Charlottesville, Virginia; Patrick Dyer Allen, WILLIAMS, MULLEN, CHRISTIAN & DOBBINS, Richmond, Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

John W. Ownby, Jr., appeals the district court's order denying his motion for partial summary judgment and dismissing with prejudice his claims alleging violations under the Racketeer Influenced and Corrupt Organizations Act ("RICO") and without prejudice his remaining state law claims. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Ownby v. Cohen, No. CA-98-19-C (W.D. Va. Sept. 8, 1998). 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