

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 00-2582

FRANCES L. WAYMON FOX,

Plaintiff - Appellant,

versus

NORTH CAROLINA DEPARTMENT OF HEALTH & HUMAN SERVICES; H. DAVID BRUTON, Dr.; LYNDA D. MCDANIEL, Director; JAMES B. UPCHURCH, Chief; CUMBERLAND COUNTY DEPARTMENT OF SOCIAL SERVICES; PHILIP LEARY; KATHY THOMASEEC, d/b/a Touch of Grace No. 2 Nursing Home; WANDA SHEPHERD, a/k/a Miss Smith; CARROL WALTER WAYMON, Brother of Plaintiff; JOHN ERVIN WAYMON, a/k/a Joseph Spencer, Brother of Plaintiff; CAROLLE O. WAYMON, a/k/a Carolle O. Spencer, a/k/a Ora C. Spencer, his wife; WILLIAM ISAAC WADDELL, JR., a/k/a Bill, Nephew of Plaintiff; MARGARET WADDELL, his wife; RACHEL ANN WADDELL ADDISON, Niece of Plaintiff; SUSAN J. HALL; DAVID R. HALL, her husband; CLINTON WILBURN, Dr., M.D.; CARMEN JEAN BATTLE,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Malcolm J. Howard, District Judge. (CA-00-319-5-H-2)

Submitted: June 21, 2001

Decided: June 27, 2001

Before WIDENER and GREGORY, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Frances L. Waymon Fox, Appellant Pro Se. June Seley Ferrell, OFFICE OF THE ATTORNEY GENERAL OF NORTH CAROLINA, Raleigh, North Carolina; Douglas Edward Candors, CUMBERLAND COUNTY ATTORNEY'S OFFICE, Fayetteville, North Carolina; Steven Craig Lawrence, ANDERSON, BROADFOOT, JOHNSON & PITTMAN, Fayetteville, North Carolina; Susan Joyce Hall, Fayetteville, North Carolina; David R. Hall, Fayetteville, North Carolina; Carmen J. Battle, Fayetteville, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Frances L. Waymon Fox appeals the district court's decision dismissing this diversity action. 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. Fox v. North Carolina Dep't of Health & Human Svcs., No. CA-00-319-5-H-2 (E.D.N.C. Nov. 3, 2000). 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