

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

ANNA BLAKE; LAWRENCE BLAKE,
Plaintiffs-Appellants,

v.

BELL'S TRUCKING, INCORPORATED;
BELL'S BUS SERVICE, INCORPORATED,
Defendants-Appellees.

No. 01-1634

Appeal from the United States District Court
for the District of Maryland, at Baltimore.
J. Frederick Motz, District Judge.
(CA-99-11-JFM)

Submitted: February 4, 2002

Decided: February 15, 2002

Before NIEMEYER and TRAXLER, Circuit Judges, and
HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

COUNSEL

Barry S. Brown, Baltimore, Maryland, for Appellants. Robert G. McGinley, Brett Schoel, MACLEAY, LYNCH, GREGG, & LYNCH, P.C., Washington, D.C., for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

OPINION

PER CURIAM:

Anna and Lawrence Blake ("Plaintiffs") appeal the district court's order granting summary judgment in favor of Bell's Trucking, Inc. and Bell's Bus Service, Inc. ("Defendants") in their diversity action for negligence, breach of contract, and loss of consortium. We affirm.

We review de novo a district court's order granting summary judgment and view the facts in the light most favorable to the nonmoving party. *Kubicko v. Ogden Logistics Servs.*, 181 F.3d 544, 551 (4th Cir. 1999). Summary judgment is appropriate when no genuine issue of material fact exists and the moving party is entitled to judgment as a matter of law. Fed. R. Civ. P. 56(c). Once the moving party discharges its burden by showing the absence of evidence to support the nonmoving party's case, the nonmoving party must come forward with specific facts showing a genuine issue for trial. *Celotex Corp. v. Catrett*, 477 U.S. 317, 325 (1986); *Matsushita Elec. Indus. Co. v. Zenith Radio Corp.*, 475 U. S. 574, 586-87 (1986). Summary judgment will be granted unless a reasonable jury could return a verdict for the nonmoving party on the evidence presented. *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 247-48 (1986).

With these standards in mind, we affirm the district court's order granting summary judgment to the Defendants based upon the reasoning of its memorandum opinion. *See Blake v. Bell's Trucking, Inc.*, No. CA-99-11-JFM (Md. Apr. 6, 2001). 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