

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-1415

BRYAN CHAD MCGILTON,

Plaintiff - Appellant,

versus

U.S. XPRESS ENTERPRISES, INCORPORATED, a
foreign corporation; LIBERTY MUTUAL INSURANCE
COMPANY, a foreign corporation,

Defendants - Appellees.

Appeal from the United States District Court for the Northern
District of West Virginia, at Wheeling. Frederick P. Stamp, Jr.,
District Judge. (CA-02-117-5)

Submitted: October 20, 2004

Decided: October 29, 2004

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

Affirmed by unpublished per curiam opinion.

Andrew M. Price, SMITH, PRICE, PANGBURN, Wheeling, West Virginia,
for Appellant. Avrum Levicoff, Ryan J. King, BROWN & LEVICOFF,
Pittsburgh, Pennsylvania; Charles S. Cassis, Julie C. Foster,
FROST, BROWN, TODD, L.L.C., Louisville, Kentucky, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Bryan Chad McGilton appeals the district court's order granting summary judgment for Appellees in McGilton's tort action. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See McGilton v. U.S. Xpress Enterprises, Inc., No. CA-02-117-5 (N.D.W. Va. Feb. 26, 2004). 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