

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-1300

RLI INSURANCE COMPANY,

Plaintiff - Appellee,

versus

NANCY GABBERT, individually and as
Administratrix of the Estate of Kevin Gabbert,

Defendant - Appellant,

and

ROBERT WALLS; ELSIE WALLS,

Defendants.

Appeal from the United States District Court for the Northern
District of West Virginia, at Clarksburg. Irene M. Keeley, Chief
District Judge. (CA-03-263-1)

Submitted: August 31, 2005

Decided: October 20, 2005

Before NIEMEYER, WILLIAMS, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

J. Bryan Edwards, CRANSTON & EDWARDS, P.L.L.C., Morgantown, West
Virginia, for Appellant. James A. Varner, Sr., Tiffany R. Durst,
Debra Tedeschi Herron, Rebecca L. Donnellan, MCNEER, HIGHLAND,
MCMUNN AND VARNER, L.C., Clarksburg, West Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Nancy Gabbert, individually and as Administratrix of the Estate of Kevin Gabbert, appeals the district court's order granting summary judgment to RLI Insurance Company in this declaratory judgment action. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See RLI Ins. Co. v. Gabbert, No. CA-03-263-1 (N.D. W. Va. filed Mar. 3, 2005 & entered Mar. 4, 2005). 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