

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 95-3134

CUMIS INSURANCE SOCIETY, INCORPORATED,

Plaintiff - Appellee,

versus

MARK A. RILEY,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. T. S. Ellis, III, District Judge. (CA-95-1024-A)

Submitted: May 7, 1996

Decided: May 21, 1996

Before HAMILTON, WILLIAMS, and MICHAEL, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Mark A. Riley, Appellant Pro Se. Amy Sanborn Owen, MILES & STOCK-BRIDGE, Fairfax, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellant appeals from the district court's orders granting summary judgment to CUMIS Insurance Society, Inc., on Count One of a Complaint charging Appellant with fraud; granting the Fed. R. Civ. P. 41(a)(2) motion of CUMIS to dismiss Count Two, which alleged breach of fiduciary duty; and granting the motion of CUMIS to dismiss Appellant's counterclaim. We have reviewed the record and the district court's opinions and find no reversible error. Accordingly, we affirm on the reasoning of the district court. CUMIS Ins. Soc'y v. Riley, No. CA-95-1024-A (E.D. Va. Nov. 8, 1995). We deny the motion for stay pending appeal and 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