

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 98-1126

MARY HART; JOSEPH HART,

Plaintiffs - Appellants,

versus

ARTHUR ELDER; BERNETT & JACKSON REALTY, INCOR-
PORATED; UNITED STATES OF AMERICA,

Defendants - Appellees.

Appeal from the United States District Court for the District of
Maryland, at Baltimore. William M. Nickerson, District Judge.
(CA-96-2414-WMN)

Submitted: April 16, 1998

Decided: April 30, 1998

Before WILKINS and HAMILTON, Circuit Judges, and PHILLIPS, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Mary Hart, Joseph Hart, Appellants Pro Se. Lynne Ann Battaglia,
United States Attorney, Allen F. Loucks, OFFICE OF THE UNITED
STATES ATTORNEY, Baltimore, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

PER CURIAM:

Appellants appeal the district court's order granting summary judgment in their breach of contract action. 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. Hart v. Elder, No. CA-96-2414-WMN (D. Md. Jan. 7, 1998). Appellants were not entitled to a jury trial because their claims were properly decided by the district court on summary judgment. Also, Appellants failed to raise their defamation claim before the district court, and the claim may not be raised before this court for the first time on appeal. See Spencer v. Murray, 5 F.3d 758, 762 (4th Cir. 1993). Similarly, we decline to review Appellants' request for relief for their children and neighbors because these people were not parties to the complaint. Finally, we deny Appellants' Omnibus Motion seeking a stay of proceedings in the district court. 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