

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-1038

In Re: SPURGEON MONTGOMERY, JR.,

Debtor.

SPURGEON MONTGOMERY, JR.,

Debtor - Appellant,

versus

FT MORTGAGE COMPANIES; ALVIN E. FRIEDMAN;
KENNETH J. MACFADYEN; JAMES J. LOFTUS; DANIEL
MENCHEL,

Creditors - Appellees,

versus

U. S. TRUSTEE,

Party in Interest.

Appeal from the United States District Court for the District of
Maryland, at Greenbelt. Peter J. Messitte, District Judge. (CA-
98-3103-PJM, BK-97-24338-PM)

Submitted: May 25, 1999

Decided: June 1, 1999

Before ERVIN, WILKINS,* and MICHAEL, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Spurgeon Montgomery, Jr., Appellant Pro Se. Michael Thomas Cantrell, FRIEDMAN & MACFADYEN, P.C., Baltimore, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit.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

* Judge Wilkins did not participate in consideration of this case. The opinion is filed by a quorum of the panel pursuant to 28 U.S.C. 46(d).

PER CURIAM:

Spurgeon Montgomery, Jr., appeals from the district court's order dismissing his appeal from the bankruptcy court for failure to timely file his designation of the record and his appeal brief. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Montgomery v. FT Mortgage Co., No. CA-98-3103-PJM (D. Md. Dec. 9, 1998). 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