

UNPUBLISHED

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

M/I SCHOTTENSTEIN HOMES,
INCORPORATED,
Plaintiff-Appellee.

No. 99-1946

v.

AUDREY A. AIRD,
Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Virginia, at Alexandria.
Albert V. Bryan, Jr., Senior District Judge.
(CA-98-1748-A)

Submitted: February 15, 2000

Decided: February 28, 2000

Before MICHAEL and KING, Circuit Judges,
and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

COUNSEL

Audrey A. Aird, Appellant Pro Se. Joseph Francis Curran, Jr., CUR-
RAN & WHITTINGTON, P.C., Fairfax, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.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

OPINION

PER CURIAM:

In this diversity case, Audrey Aird appeals the district court's orders of June 21, 1999 and July 2, 1999 addressing the parties' breach of contract claims and Aird's claims of intentional fraud; constructive fraud; violations under the Virginia Consumer Protection Act; negligent hiring, retention, and supervision; and wilful, wanton, and reckless conduct. We affirm.

The court granted Aird's motion for summary judgment on M/I Schottenstein Homes, Inc.'s ("M/I Homes") breach of contract claim to the extent that M/I Homes sought specific performance and denied the motion to the extent that M/I Homes sought damages for Aird's alleged breach of contract. The court granted summary judgment to M/I Homes as to Aird's claims for intentional fraud; constructive fraud; violations under the Virginia Consumer Protection Act; negligent hiring, retention, and supervision; and wilful, wanton, and reckless conduct and as to her breach of contract claim insofar as it alleged that the property at issue did not "back to the woods." The court remanded the remaining issues to state court.

On appeal, this Court considers only those issues raised in the appellant's informal brief. See 4th Cir. R. 34(b). In her informal brief, Aird makes various malpractice allegations against her attorney. However, Aird's claim of malpractice in this civil action is not a basis for invalidating the order of the district court. See Link v. Wabash R.R., 370 U.S. 626, 633-34 (1962); Universal Film Exch., Inc. v. Lust, 479 F.2d 573 (4th Cir. 1973). Accordingly, we affirm on the reasoning of the district court. See M/I Schottenstein Homes, Inc. v. Aird, No. CA-98-1748-A (E.D. Va. July 2, 1999). 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