

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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No. 12-14402

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D.C. Docket No. 8:11-cv-02332-EAK-TBM

DAVID BAND, individually,

Plaintiff - Appellant,

versus

TWIN CITY FIRE INSURANCE COMPANY,  
a corporation,

Defendant - Appellee.

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Appeal from the United States District Court  
for the Middle District of Florida

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(December 3, 2013)

Before TJOFLAT, MARCUS, Circuit Judges, and VINSON,\* District Judge.

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\*Honorable C. Roger Vinson, United States District Judge for the Northern District of Florida, sitting by designation.

PER CURIAM:

This is a suit under a professional liability insurance policy. Plaintiff Band claims that defendant Twin City Fire Insurance Co., owed him a duty to defend him in a third-party action. Twin City, responding, claimed that the allegations of the complaint in the third-party action failed to assert conduct that fell within the policy's coverage; to the contrary, such conduct fell within a policy exclusion. The District Court, in an order entered on April 5, 2012, agreed with Twin City and granted its Fed. R. Civ. P. 12(b)(6) motion to dismiss Band's complaint. Band appeals. We affirm for the reasons stated by the District Court in its April 5, 2012, order.

AFFIRMED.