

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 08-1046

BENJAMIN F. RUSSELL, By Joseph Michael Russell as his next friend,

Plaintiff - Appellant,

v.

MICHAEL GENNARI, Ph.D.; ANTHEM HEALTH PLANS OF AMERICA, INCORPORATED,

Defendants - Appellees,

and

EVONNE FEI; DIXIE SHIELDS,

Defendants.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Gerald Bruce Lee, District Judge. (1:07-cv-00793-GBL-BRP)

Submitted: June 18, 2008

Decided: July 15, 2008

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

Affirmed by unpublished per curiam opinion.

Joseph Michael Russell, Appellant Pro Se. Michael E. Olszewski, Armand B. Alacbay, HANCOCK, DANIEL, JOHNSON & NAGLE, PC, Fairfax,

Virginia; Anthony F. Shelley, Adam P. Feinberg, Jeffrey Hahn,
MILLER & CHEVALIER, CHARTERED, Washington, D.C., for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Joseph Michael Russell, on behalf of his son, Benjamin F. Russell, appeals the district court's order dismissing this action alleging negligence and breach of fiduciary duty. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. Russell v. Gennari, No. 1:07-cv-00793-GBL-BRP (E.D. Va. Nov. 8, 2007). 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