UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-1988

STANLEY MARVIN CAMPBELL, Trustee in Bankruptcy for ESA Environmental Specialist, Inc.,

Plaintiff,

and

PROSPECT CAPITAL CORPORATION,

Plaintiff - Appellant,

v.

HOULIHAN SMITH & COMPANY, INC.,

Defendant – Appellee,

and

NATHAN M. BENDER; ADKISSON, SHERBERT & ASSOCIATES; CHARLES J. COLE; JACOB COLE; SANDRA DEE COLE; DAVID C. EPPLING; MICHAEL ANTHONY HABOWSKI; TRACEY HAWLEY; JOHN M. MITCHELL; DENNIS M. MOLESEVICH; HOULIHAN SMITH; SHELTON SMITH; SUNTRUST BANKS, INC.; CHERRY BEKAERT AND HOLLAND LLP; ELLIOT & WARREN; CHESTER J. BANULL,

Defendants.

Appeal from the United States District Court for the Western District of North Carolina, at Charlotte. Max O. Cogburn, Jr., District Judge. (3:09-cv-00465-MOC-DCK; 3:09-cv-00546-MOC-DCK; 3:07-bk-31532)

Submitted: July 27, 2015 Decided: September 18, 2015

Before SHEDD and AGEE, Circuit Judges, and DAVIS, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Robert C. Bowers, MOORE & VAN ALLEN, PLLC, Charlotte, North Carolina; Adam M. Burton, Karl C. Huth, IV, PROSPECT ADMINISTRATION, LLC, New York, New York, for Appellant. Richard P. Darke, DUANE MORRIS LLP, Chicago, Illinois, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Prospect Capital Corporation appeals from the district court's order accepting the recommendation of the magistrate judge and granting Houlihan Smith & Company, Inc.'s motion to dismiss the claims against it and denying Prospect Capital's request for leave to amend the complaint. We have reviewed the record and the parties' arguments on appeal, and we find no abuse of discretion and no reversible error. Accordingly, we affirm for the reasons stated by the district court. Prospect Capital Corp. v. Houlihan Smith & Co., No. 3:09-cv-00465-MOC-DCK (W.D.N.C. Aug. 20, 2014). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED