

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 18-1033

KENNETH EVANS, individually and as the Personal Representative of the Estate
of Frances Moore Evans, Estate of Frances Moore Evans,

Plaintiff - Appellee,

v.

NORTH POINTE ASSISTED LIVING; CSL NORTH POINTE SC LLC;
CAPITAL SENIOR LIVING CORPORATION,

Defendants - Appellants.

No. 18-1034

KENNETH EVANS, individually and as the Personal Representative of the Estate
of Frances Moore Evans, Estate of Frances Moore Evans,

Plaintiff - Appellee,

v.

NORTH POINTE ASSISTED LIVING; CSL NORTH POINTE SC LLC;
CAPITAL SENIOR LIVING CORPORATION,

Defendants - Appellants.

Appeals from the United States District Court for the District of South Carolina, at
Anderson. Timothy M. Cain, District Judge. (8:17-cv-00950-DCC; 8:17-cv-00951-
DCC)

Submitted: September 27, 2018

Decided: November 21, 2018

Before DIAZ and HARRIS, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Donna J. Fudge, FUDGE BROADWATER, P.A., St. Petersburg, Florida; Todd W. Smyth, Joshua S. Whitley, SMYTH WHITLEY, LLC, Charleston, South Carolina, for Appellants. Jennifer Burnett, Larry A. Welborn, HARBIN & BURNETT, LLP, Anderson, South Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In these consolidated appeals, North Pointe Assisted Living, CSL North Pointe SC LLC, and Capital Senior Living Corporation appeal from the district court's orders denying their motions to compel arbitration and to dismiss two civil actions filed against them by Kenneth Evans, individually and as the personal representative of the Estate of Frances Moore Evans. We have reviewed the record provided on appeal and the arguments of the parties, and we find no reversible error. Accordingly, we affirm for the reasons stated by the district court. *Evans v. North Pointe Assisted Living, et al.*, Nos. 8:17-cv-00950-DCC, 8:17-cv-00951-DCC (D.S.C. Dec. 8, 2017). 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