

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-1181

BYRON F. DAVID,

Debtor - Appellant,

v.

SUMMIT COMMUNITY BANK,

Plaintiff - Appellee.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Rossie David Alston, Jr., District Judge. (1:20-cv-00721-RDA-JFA)

Submitted: October 17, 2022

Decided: September 27, 2023

Before DIAZ, Chief Judge, and GREGORY and HARRIS, Circuit Judges

Affirmed by unpublished per curiam opinion.

ON BRIEF: James P. Campbell, Matthew W. Clark, CAMPBELL FLANNERY, P.C., Leesburg, Virginia, for Appellant. Quinton B. Callahan, CLARK & BRADSHAW, P.C., Harrisonburg, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Byron F. David appeals the district court's order affirming the bankruptcy court's decision to allow Summit Community Bank's Claim 4-3 against David's bankruptcy estate. David argues that the bankruptcy court erred by admitting into evidence a copy of the signed guarantee underlying Claim 4-3, and that Summit spoliated evidence by failing to retain the original guarantee.

“In reviewing the judgment of a district court sitting in review of a bankruptcy court, we apply the same standard of review that was applied by the district court.” *Copley v. United States*, 959 F.3d 118, 121 (4th Cir. 2020). Thus, “we review the bankruptcy court’s legal conclusions de novo, its factual findings for clear error, and any discretionary decisions for abuse of discretion.” *Id.* With these standards in mind, we have reviewed the record and the arguments of the parties and find no reversible error. We therefore affirm the district court’s judgment. And 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