

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-1842

KENNEY PROPERTIES, INC.; KENNEY HOLDINGS, LLC; KENNEY REALTY SERVICES, LLC; GRESHAM PARK, LLC, d/b/a Autumn Pointe Apartments,

Plaintiffs - Appellants,

v.

PHILADELPHIA INDEMNITY INSURANCE COMPANY,

Defendant - Appellee.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Dever III, District Judge. (5:21-cv-00308-D)

Submitted: October 3, 2023

Decided: November 28, 2023

Before WILKINSON and HEYTENS, Circuit Judges, and FLOYD, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

ON BRIEF: Theodore B. Smyth, Steven A. Bader, CRANFILL SUMNER, LLP, Raleigh, North Carolina, for Appellants. David L. Brown, Martha P. Brown, GOLDBERG SEGALLA LLP, Greensboro, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Kenney Properties, Inc., Kenney Holdings, LLC, Kenney Realty Services, LLC, and Gresham Park, LLC, appeal the district court's order granting Philadelphia Indemnity Insurance Company's motion for judgment on the pleadings and dismissing the complaint alleging breach of contract and unfair and deceptive trade practices. We have reviewed the record and the parties' briefs and find no reversible error. Accordingly, we affirm. *Kenny Props., Inc. v. Phila. Indem. Ins. Co.*, No. 5:21-cv-00308-D (E.D.N.C. July 14, 2022). 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