

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-1012

ELISABETH LENES; STEVEN LENES,

Plaintiffs - Appellees,

v.

LORAL LANGEMEIER,

Defendant - Appellant.

Appeal from the United States District Court for the District of South Carolina, at Charleston. C. Weston Houck, Senior District Judge. (2:10-cv-00316-CWH)

Submitted: July 25, 2011

Decided: July 29, 2011

Before KING and DAVIS, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

G. Mark Phillips, William C. Wood, Jr., Erin R. Stuckey, NELSON, MULLINS, RILEY & SCARBOROUGH. LLP, Columbia, South Carolina; J. Mitchell Little, SCHEEF & STONE, LLP, Frisco, Texas, for Appellant. Guy M. Burns, Jonathan S. Coleman, JOHNSON, POPE, BOKOR, RUPPEL & BURNS, LLP, Tampa, Florida; James C. Bradley, Nina H. Fields, RICHARDSON, PATRICK, WESTBROOK & BRICKMAN, LLC, Mount Pleasant, South Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Loral Langemeier appeals the district court's order denying her motion to compel arbitration in the underlying diversity action. We have reviewed the record included on appeal, as well as the parties' briefs, and find no error in the district court's ruling. Accordingly, we affirm. See Am. Recovery Corp. v. Computerized Thermal Imaging, 96 F.3d 88, 92 (4th Cir. 1996) (noting that "whether a party has agreed to arbitrate an issue is a matter of contract interpretation: '[A] party cannot be required to submit to arbitration any dispute which he has not agreed so to submit.'" (citations omitted)). We deny the Appellees' motion to file a sur-reply brief and to schedule 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