

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 02-3764

Larry Case,

Appellant,

v.

Continental Casualty Company,

Appellee.

*

*

*

*

*

*

*

*

*

Appeal from the United States
District Court for the
Eastern District of Arkansas.

[UNPUBLISHED]

Submitted: April 22, 2003

Filed: April 28, 2003

Before BOWMAN, WOLLMAN, and HANSEN, Circuit Judges.

PER CURIAM.

Larry Case appeals from the District Court's¹ adverse grant of summary judgment in his diversity action against Continental Casualty Co. Having carefully reviewed the record and the parties' briefs, see Washburn v. Soper, 319 F.3d 338, 340 (8th Cir. 2003) (noting de novo review), we agree that the death of Case's mother from lung cancer was not, under the terms of his mother's policy, an accident;

¹The Honorable George Howard, Jr., United States District Judge for the Eastern District of Arkansas.

therefore, he was not entitled to accidental death benefits. Accordingly, we affirm the well-reasoned opinion of the District Court. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.