

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 00-2263

Federated Life Insurance Company,	*	
	*	
Appellee,	*	
	*	
v.	*	
	*	
Cindy Roach,	*	Appeal from the United States
	*	District Court for the
Appellant,	*	Eastern District of Arkansas.
	*	
Union Planters Bank, as Administrator	*	[UNPUBLISHED]
of the Estate of Paxton Roach,	*	
Deceased; Simmons First Bank,	*	
	*	
Defendants.	*	

Submitted: February 21, 2001
Filed: March 7, 2001

Before BOWMAN, BEAM, and LOKEN, Circuit Judges.

PER CURIAM.

Cindy Roach appeals the District Court's¹ adverse grant of summary judgment on her counterclaim for penalties, attorney's fees, and interest under ARK. CODE. ANN.

¹The Honorable William R. Wilson, Jr., United States District Judge for the Eastern District of Arkansas.

§§ 23-79-208, 23-81-118 (Michie 1999). Roach argues that Federated Life Insurance Company improperly filed the instant interpleader action even though it was clear, based on the relevant policy terms and Arkansas law, that she was the proper recipient of the proceeds from her ex-husband's life insurance policy. After careful de novo review of the record, the applicable law, see David v. Tanksley, 218 F.3d 928, 930 (8th Cir. 2000), and the District Court's interpretation of state law in this diversity case, we agree with the District Court, for the reasons explained in its order, that an award of statutory penalties, fees, and interest was unwarranted.

Accordingly, we affirm. See 8th Cir. R. 47B.

A true copy.

Attest:

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