

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 04-2063

Tammy Hutson,

Appellant,

v.

Protective Life Insurance Company,

Appellee.

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Appeal from the United States
District Court for the Western
District of Missouri.

[UNPUBLISHED]

Submitted: January 12, 2005
Filed: January 18, 2005

Before WOLLMAN, McMILLIAN, and FAGG, Circuit Judges.

PER CURIAM.

Tammy Hutson appeals the district court's* adverse grant of summary judgment in her action seeking recovery of the proceeds from a life insurance policy issued by Protective Life Insurance Company that named her as beneficiary and expired before the insured's death. The district court rejected Hutson's state-law claims for negligent misrepresentation and breach of contract. Because this is a diversity case, we review de novo questions of state law. Having considered the record and the parties' arguments, we are satisfied the district court correctly applied the controlling state

*The Honorable Fernando J. Gaitan, Jr., United States District Judge for the Western District of Missouri.

law and properly resolved the issues. Because a comprehensive opinion would have no precedential value in a diversity case that is factually unique to these parties, we affirm on the basis of the district court's ruling without further discussion. See 8th Cir. R. 47B.
