

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 97-2802ND

Kent Laber, individually and by Phyllis	*	
Laber, his guardian ad litem,	*	
	*	
Appellant,	*	Appeal from the United States
	*	District Court for the District
v.	*	of North Dakota.
	*	
Heritage Mutual Insurance Company,	*	[UNPUBLISHED]
	*	
Appellee.	*	

Submitted: February 11, 1998
Filed: February 20, 1998

Before FAGG, JOHN R. GIBSON, and MURPHY, Circuit Judges.

PER CURIAM.

Kent Laber, individually and by Phyllis Laber, his guardian ad litem, appeals from the adverse ruling of the district court in this diversity-based dispute about the scope of Laber's underinsured motorist coverage. The district court concluded that a non-airborne plane was not a motor vehicle for the purposes of interpreting the underinsured motorist coverage under North Dakota law. Because this is a diversity action, we review de novo questions of state law. Having considered the record and the parties' briefs, we are satisfied the district court correctly applied the relevant state law and the record supports the district court's ruling. We also conclude a

comprehensive opinion in this diversity case would lack precedential value. We thus affirm on the basis of the district court's ruling without further discussion. See 8th Cir. R. 47B.

A true copy.

Attest:

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