

United States Court of Appeals
For the Eighth Circuit

No. 15-3268

Marvin A. Harlan; Carol G. Harlan,

Plaintiffs - Appellants,

v.

The Bank of New York Mellon, formerly known as The Bank of New York, as
Trustee for the Certificate Holders CWALT, Inc., Alternative Loan Trust
2006-30T1, Mortgage Pass-Through Certificates, Series 2006-30T1,

Defendant - Appellee.

Appeal from United States District Court
for the Western District of Arkansas - Fayetteville

Submitted: July 5, 2016

Filed: July 18, 2016

[Unpublished]

Before COLLOTON, GRUENDER, and KELLY, Circuit Judges.

PER CURIAM.

In this diversity action, Marvin and Carol Harlan sought declaratory relief from a home mortgage, and the Bank of New York Mellon (BONY) brought a counterclaim

for judicial foreclosure. The Harlans appeal after the district court¹ granted BONY's motions for judgment on the pleadings and for summary judgment, and entered a final judgment and decree of foreclosure. After careful de novo review, we conclude that the Harlans' arguments on appeal do not warrant reversal. *See Saterdalen v. Spencer*, 725 F.3d 838, 840 (8th Cir. 2013) (grant of judgment on pleadings is reviewed de novo); *Linn Farms and Timber Ltd. P'ship v. Union Pac. R.R. Co.*, 661 F.3d 354, 357 (8th Cir. 2011) (grant of summary judgment is reviewed de novo). Accordingly, we affirm. *See* 8th Cir. R. 47B.

¹The Honorable Timothy L. Brooks, United States District Judge for the Western District of Arkansas.