

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

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No. 07-11862  
Non-Argument Calendar

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| FILED<br>U.S. COURT OF APPEALS<br>ELEVENTH CIRCUIT<br>OCTOBER 15, 2007<br>THOMAS K. KAHN<br>CLERK |
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D. C. Docket No. 06-00001-CV-CAR-5

HOWARD R. ATHON, JR.,

Plaintiff-Counter  
Defendant-Appellant,

versus

DIRECT MERCHANTS BANK,

Defendant-Counter  
Claimant-Appellee.

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Appeal from the United States District Court  
for the Middle District of Georgia

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**(October 15, 2007)**

Before DUBINA, CARNES and KRAVITCH, Circuit Judges.

PER CURIAM:

Appellant Howard R. Athon, Jr., proceeding pro se, appeals the district court's order compelling arbitration and dismissing the case with prejudice. Athon initially brought this action against appellee HSBC Bank Nevada, N.A. ("HSBC"), successor in interest to Direct Merchants Credit Card Bank, N.A. ("Direct Merchants") in Georgia state court alleging violations of the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §§ 1692 et seq. HSBC removed the case to federal court and moved to compel arbitration and stay or dismiss the action. The district court found that there existed an arbitration agreement and issued an order compelling arbitration and dismissing the suit with prejudice.

After a thorough review of the record, we **AFFIRM** for the reasons given in the district court's order dated April 11, 2007.