

United States Court of Appeals
for the Fifth Circuit

No. 22-10349
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

October 25, 2022

Lyle W. Cayce
Clerk

IN THE MATTER OF WILLIAM PAUL BURCH,

Debtor,

JUANITA BURCH,

Appellant,

versus

RUSHMORE LOAN MANAGEMENT SERVICES, L.L.C.,

Appellee.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:21-CV-503

Before SMITH, DENNIS, and SOUTHWICK, *Circuit Judges.*

PER CURIAM:*

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

No. 22-10349

Juanita Burch appeals from an order of the United States District Court for the Northern District of Texas that affirmed a bankruptcy court's summary judgment disposing of all of Burch's claims. Burch's claims were brought in an adversary proceeding against Rushmore Loan Management Services, LLC, in the bankruptcy of her husband, William Paul Burch.

Rushmore had foreclosed on a property owned by the Burches in Arlington, Texas. The bankruptcy court rejected arguments that it had no jurisdiction and concluded that the property and claims were the same as those already considered in prior proceedings. Thus, judgment was granted for Rushmore based on preclusion. The bankruptcy court also declared Burch a vexatious litigant.

After review of the briefs and record, we conclude the district court was correct to affirm the bankruptcy court's judgment. We AFFIRM. Appellant's motion to strike is DENIED.