

No. 14-1857

**UNITED STATES COURTS OF APPEALS  
FOR THE SIXTH CIRCUIT**

NAZAR R. HINDO; NADA HINDO, )  
 )  
 Plaintiffs-Appellants, )  
 )  
 v. )  
 )  
 BANK OF NEW YORK MELLON, fka The Bank of )  
 New York Mellon, fka The Bank of New York, as )  
 Trustee for the Certificateholders of CWALT, Inc., )  
 Alternative Loan Trust 2007-OH2, Mortgage Pass- )  
 through Certificates, Series 2007-OH2, )  
 Defendant-Appellee. )

**FILED**  
Mar 03, 2015  
DEBORAH S. HUNT, Clerk

ON APPEAL FROM THE  
UNITED STATES DISTRICT  
COURT FOR THE EASTERN  
DISTRICT OF MICHIGAN

BEFORE: SILER, ROGERS, and COOK, Circuit Judges.

ROGERS, Circuit Judge. The Hindos took out a mortgage on a piece of real property in Michigan, but later defaulted. The property was sold to the Bank of New York Mellon at a sheriff’s sale. New York Mellon filed an eviction action in Michigan state court and shortly afterward, the parties entered into a consent judgment granting New York Mellon possession of the property. Two months later, the Hindos sued New York Mellon in state court seeking to quiet title and alleging that the foreclosure violated various state laws. New York Mellon removed to federal court and moved to dismiss, arguing that the state court consent judgment had claim preclusive effect on the new suit. The district court agreed and dismissed the case. Because the district court opinion was thorough and well-reasoned, an additional opinion by this

court would be duplicative.<sup>1</sup> For the reasons given in the district court’s opinion, we affirm. *See Hindo v. Bank of N.Y. Mellon*, No. 13-12912, 2014 U.S. Dist. LEXIS 77966 (E.D. Mich. June 9, 2014).

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<sup>1</sup> At the district court, the Hindo’s counsel “completely failed to present a cognizable argument to support his clients’ claims.” The district court encouraged the Hindo’s counsel “to spend more time preparing filings” to “avoid such failures—and sanctions—in the future.” The Hindo’s counsel did not heed the district court’s advice, submitting to this court word-for-word the res judicata arguments the district court criticized.