

**United States Court of Appeals  
FOR THE EIGHTH CIRCUIT**

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No. 06-2997

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Glenn S. Cohen,

Appellant,

v.

Beachside Two-I Homeowners'  
Association; Fredrick R. Krietzman;  
Felhaber, Larson, Fenlon & Vogt, a  
Professional Association; U.S.  
Bancorp, doing business as U.S.  
Bank Home Mortgage,

Appellees.

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\* Appeal from the United States  
\* District Court for the  
\* District of Minnesota.  
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\* [UNPUBLISHED]  
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Submitted: April 3, 2008

Filed: April 9, 2008

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Before MURPHY, COLLOTON, and SHEPHERD, Circuit Judges.

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PER CURIAM.

Glenn S. Cohen appeals the district court's<sup>1</sup> adverse grant of summary judgment in his lawsuit brought under the Fair Debt Collection Practices Act and state law. Having conducted de novo review of the record and the district court's construction

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<sup>1</sup>The Honorable Ann D. Montgomery, United States District Judge for the District of Minnesota.

of state law, see Cross v. Monett R-I Bd. of Educ., 431 F.3d 606, 610 (8th Cir. 2005), we find no basis for reversal. Accordingly, we affirm, see 8th Cir. R. 47B, but we modify the dismissal of the breach-of-contract claims against Beachside Two-I Homeowners' Association to be without prejudice, see Labickas v. Ark. State Univ., 78 F.3d 333, 334-35 (8th Cir. 1996) (per curiam).

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