

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

No. 09-3112

Andrew Gladue; Beatrice Vivier, *
*
Appellants, *
* Appeal from the United States
v. * District Court for the
* District of North Dakota.
United States of America, *
* [UNPUBLISHED]
Appellee. *

Submitted: April 7, 2010
Filed: April 15, 2010

Before RILEY,¹ Chief Judge, BYE and SHEPHERD, Circuit Judges.

PER CURIAM.

Andrew Gladue and Beatrice Vivier appeal the district court's² adverse grant of summary judgment in their Federal Tort Claims Act action. Upon de novo review, see Johnson v. Blaukat, 453 F.3d 1108, 1112 (8th Cir. 2006), we conclude summary judgment was proper for the reasons the district court stated. We affirm. See 8th Cir. R. 47B.

¹The Honorable William Jay Riley became Chief Judge of the United States Court of Appeals for the Eighth Circuit on April 1, 2010.

²The Honorable Daniel L. Hovland, United States District Judge for the District of North Dakota.