## **United States Court of Appeals**

## FOR THE EIGHTH CIRCUIT

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<u>-</u>	No. 1	1-1	1293
Thomas H. Bray,		*	
Appellant,		*	
rr · · · · ·		*	Appeal from the United States
V.		*	District Court for the
		*	District of North Dakota.
Bank of America; MERS Inc.		*	
(Mortgage Electronic Registration		*	[UNPUBLISHED]
Systems); Countrywide Home Loan	ns,	*	
		*	
Appellees.		*	
	_	*	
		*	
Countrywide Home Loans; Bank of		*	
America; and MERS Inc., as a		*	
nominee of America's Home Loans		*	
LLC, its successors and assigns,		*	
Counter Claimants,		*	
Counter Claimants,		*	
V.		*	
••		*	
Thomas H. Bray, individually and a	as	*	
alleged Trustee of Multigrain CPT		*	
Multigrains CPT; Michael D. Harri		*	
Trustee of Bray 10 Family Trust; K		*	
Campbell, also known as Kenneth		*	
Campbell; Sharenda Bray Wiebe;		*	

Devin Bray; and Portfolio Recovery

Associates,

\*

Counter Defendants.

\*

Submitted: September 28, 2011 Filed: October 4, 2011

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Before MELLOY, BOWMAN, and SHEPHERD, Circuit Judges.

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## PER CURIAM.

Thomas Bray appeals the district court's¹ adverse summary judgment decision in this action involving Bray's complaint seeking to quiet title to his property, and defendants' counterclaim seeking foreclosure on that property and several other specific forms of relief. Because the district court's judgment did not fully dispose of all of the claims in this action, and in particular did not address all of the relief requested and all of the counterclaim defendants, we lack jurisdiction. See 28 U.S.C. § 1291 (courts of appeals shall have jurisdiction of appeals from all final decisions of district courts); Fed. R. Civ. P. 54(b) (any order that adjudicates fewer than all claims does not end action as to any claims or parties); Thomas v. Basham, 931 F.2d 521, 522-23 (8th Cir. 1991) (jurisdictional issues will be raised sua sponte when there is indication that jurisdiction is lacking). Accordingly, the appeal is dismissed.

<sup>&</sup>lt;sup>1</sup>The Honorable Daniel L. Hovland, United States District Judge for the District of North Dakota.