

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 12-2305

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Thomas H. Bray, individually and as alleged Trustee of Multigrain CPT a/k/a  
Multigrains CPT

*Plaintiff - Counter Defendant - Appellant*

v.

Bank of America, MERS Inc., individually and as nominee, and Countrywide  
Home Loans

*Defendants - Counter Claimants - Appellees*

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Appeal from United States District Court  
for the District of North Dakota - Bismarck

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Submitted: January 29, 2013  
Filed: February 5, 2013  
[Unpublished]

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Before LOKEN, MELLOY, and BENTON, Circuit Judges.

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PER CURIAM.

Thomas Bray appeals the district court's<sup>1</sup> grant of summary judgment to defendants in his quiet title action, removed to federal court based on diversity jurisdiction, and the court's grant of summary judgment to defendants on their counterclaim seeking foreclosure. Following careful de novo review, see Linn Farms and Timber Ltd. P'ship v. Union Pac. R.R. Co., 661 F.3d 354, 357 (8th Cir. 2011), we conclude that defendants were entitled to summary judgment, both in Bray's action and on their counterclaim, for the reasons given by the district court. We also find no abuse of discretion in the court's ruling on Bray's discovery and recusal motions. Accordingly, the judgment is affirmed. See 8th Cir. R. 47B.

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