

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

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No. 15-3268

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Marvin A. Harlan; Carol G. Harlan,

*Plaintiffs - Appellants,*

v.

The Bank of New York Mellon, formerly known as The Bank of New York, as  
Trustee for the Certificate Holders CWALT, Inc., Alternative Loan Trust  
2006-30T1, Mortgage Pass-Through Certificates, Series 2006-30T1,

*Defendant - Appellee.*

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Appeal from United States District Court  
for the Western District of Arkansas - Fayetteville

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Submitted: July 5, 2016

Filed: July 18, 2016

[Unpublished]

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Before COLLOTON, GRUENDER, and KELLY, Circuit Judges.

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PER CURIAM.

In this diversity action, Marvin and Carol Harlan sought declaratory relief from  
a home mortgage, and the Bank of New York Mellon (BONY) brought a counterclaim

for judicial foreclosure. The Harlans appeal after the district court<sup>1</sup> granted BONY's motions for judgment on the pleadings and for summary judgment, and entered a final judgment and decree of foreclosure. After careful de novo review, we conclude that the Harlans' arguments on appeal do not warrant reversal. *See Saterdalen v. Spencer*, 725 F.3d 838, 840 (8th Cir. 2013) (grant of judgment on pleadings is reviewed de novo); *Linn Farms and Timber Ltd. P'ship v. Union Pac. R.R. Co.*, 661 F.3d 354, 357 (8th Cir. 2011) (grant of summary judgment is reviewed de novo). Accordingly, we affirm. *See* 8th Cir. R. 47B.

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<sup>1</sup>The Honorable Timothy L. Brooks, United States District Judge for the Western District of Arkansas.