

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

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No. 18-2661

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Mike K. Strong

*Plaintiff - Appellant*

v.

Caliber Home Loans, Inc. - US Bank Trust, N.A., as Trustee for LSF9 Master  
Participation Trust

*Defendant*

Caliber Home Loans, Inc.; U.S. Bank Trust, N.A., as Trustee for LSF9 Master  
Participation Trust; Kozeny & McCubbin, L.C., Kerry Feld, Successor Trustee  
successor Kerry Feld; HSBC Mortgage Services, Inc.; Kozeny & McCubbin, L.C.

*Defendants - Appellees*

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Appeal from United States District Court  
for the District of Nebraska - Omaha

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Submitted: June 12, 2019

Filed: June 19, 2019

[Unpublished]

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Before LOKEN, GRUENDER, and KOBES, Circuit Judges.

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PER CURIAM.

Mike Strong appeals the district court's<sup>1</sup> dismissal of his action against his mortgage lender and related parties. On de novo review, see Montin v. Moore, 846 F.3d 289, 292 (8th Cir. 2017) (de novo review of Fed. R. Civ. P. 12(b)(6) dismissal); Olson v. Fairview Health Servs. of Minn., 831 F.3d 1063, 1070 (8th Cir. 2016) (de novo review of dismissal based on Fed. R. Civ. P. 9(b)), we affirm.

We agree with the district court that Strong's complaint did not plead his fraud or deceptive trade practices claims with the specificity required by Federal Rule of Civil Procedure 9(b). See Fed. R. Civ. P. 9(b) (party must plead circumstances constituting fraud with particularity); Munro v. Lucy Activewear, Inc., 899 F.3d 585, 590 (8th Cir. 2018) (party alleging fraud must plead time, place, and contents of false representation, identity of person making misrepresentation, and what was obtained or given up thereby); E-Shops Corp. v. U.S. Bank Nat'l Ass'n, 678 F.3d 659, 665 (8th Cir. 2012) (Fed. R. Civ. P. 9(b)'s heightened pleading requirement applied to claims arising under state deceptive trade practice statutes). We also conclude that Strong failed to state a claim for any other violation of state or federal law, see Montin, and we find no other error in the district court's dismissal.

We affirm the judgment of the district court. See 8th Cir. R. 47B.

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<sup>1</sup>The Honorable John M. Gerrard, Chief Judge, United States District Court for the District of Nebraska.