

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 05-1278

Joseph Dixon,

Appellant,

v.

Fairbanks Capital Corporation, sued as
Fairbanks Capital Corp. Mortgage,

Appellee.

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* Appeal from the United States
* District Court for the
* District of Minnesota.
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* [UNPUBLISHED]
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Submitted: April 7, 2005
Filed: April 21, 2005

Before MELLOY, McMILLIAN, and GRUENDER, Circuit Judges.

PER CURIAM.

Joseph Dixon appeals the district court's¹ adverse grant of summary judgment in his lawsuit against Fairbanks Capital Corporation (FCC) arising from a threatened property foreclosure. Having carefully reviewed the record, see Revels v. Vincenz, 382 F.3d 870, 874 (8th Cir. 2004) (standard of review), we affirm.

¹The Honorable Donovan W. Frank, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Franklin L. Noel, United States Magistrate Judge for the District of Minnesota.

Although we agree with Dixon that the instant complaint involves different foreclosure proceedings than did the prior litigation between Dixon and FCC's predecessor, we nevertheless conclude that summary judgment was warranted. First, Dixon provided nothing to counter the evidence offered by FCC, which supported the challenged foreclosure proceedings. Further, Dixon's numerous federal and state claims arising from the threatened foreclosure are clearly meritless and do not warrant extended discussion. See Manion v. Nagin, 394 F.3d 1062, 1070 (8th Cir. 2005) (this court may affirm grant of summary judgment on any basis supported by record).

We also find no abuse of discretion in the district court's denial of default judgment. See Harris v. St. Louis Police Dept., 164 F.3d 1085, 1086 (8th Cir. 1998) (per curiam) (standard of review). The remaining issues that Dixon lists in his statement of issues for appeal provide no basis for reversal.

Accordingly, we affirm. See 8th Cir. R. 47B. We also deny Dixon's pending motions and decline to consider the new allegations he raises in his motion for emergency relief. See Stone v. Harry, 364 F.3d 912, 914 (8th Cir. 2004).
