



Devin Bray; and Portfolio Recovery \*  
Associates, \*  
\*  
Counter Defendants. \*

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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's<sup>1</sup> 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.

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