

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

---

No. 97-3615

---

Kevin Scott Kerr,  
as Personal Representative of the  
Estate of Ivan S. Kerr,

Appellant,

v.

Dawn M. Valentine,

Appellee.

\*  
\*  
\*  
\* Appeal from the United States  
\* District Court for the  
\* District of Minnesota.

\* [UNPUBLISHED]

---

Submitted: June 11, 1998  
Filed: July 14, 1998

---

Before BOWMAN, Chief Judge, HEANEY and LOKEN, Circuit Judges.

---

PER CURIAM.

Kevin Scott Kerr, the plaintiff in this action, appeals from the judgment of the District Court,<sup>1</sup> entered after a bench trial, in favor of the defendant, Dawn M. Valentine. Kerr alleged a joint venture or joint enterprise between Valentine and her mother, Joan Valentine Mohamed, through which Valentine received, by way of her mother, proceeds of a certain life insurance policy, which proceeds previously have

---

<sup>1</sup>The Honorable David S. Doty, United States District Judge for the District of Minnesota.

been adjudged as belonging to the estate Kerr represents. The District Court found facts adverse to Kerr's position and concluded that no joint venture or joint enterprise had been shown. Essentially, the court found a failure of proof on Kerr's part.

Having considered the briefs, the record, and the arguments of the parties, we cannot say that any of the District Court's findings of fact are clearly erroneous or that any error of law appears. Accordingly, the judgment of the District Court is affirmed. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.