

March 6, 2012

UNITED STATES COURT OF APPEALS
TENTH CIRCUIT

Elisabeth A. Shumaker
Clerk of Court

COMMONWEALTH PROPERTY
ADVOCATES,

Plaintiff - Appellant,

v.

U.S. BANK NATIONAL
ASSOCIATION, as Trustee for the
Adjustable Rate Mortgage-Backed
Pass-Through Certificates, Series
2007-2, MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS,

Defendants - Appellees.

No. 11-4168

(D. Utah)

(D.C. No. 2:10-CV-00281-DB)

ORDER AND JUDGMENT*

Before **LUCERO**, **HARTZ**, and **O'BRIEN**, Circuit Judges.

The issues presented in this appeal have been previously decided. Counsel were given an opportunity to distinguish our prior cases but Appellant's counsel

*After examining the briefs and appellate record, this panel has determined unanimously that oral argument would not materially assist the determination of this appeal. *See* Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument. This order and judgment is not binding precedent except under the doctrines of law of the case, res judicata, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

used that opportunity to criticize, rather than distinguish, them. There is nothing more to say. AFFIRMED.

ENTERED FOR THE COURT
PER CURIAM