

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

January 6, 2014

Lyle W. Cayce  
Clerk

\_\_\_\_\_  
No. 13-50458

Summary Calendar  
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GRANT TREVARTHEN; CLARE TREVARTHEN,

Plaintiffs-Appellants

v.

U.S. BANK NATIONAL ASSOCIATION, as Trustee for the Registered Holders of the Structured Asset Securities Corporation, Structured Asset Investment Loan Trust, Mortgage Pass-Through Certificates Series 2003-BC 6; FIELDSTONE MORTGAGE COMPANY; MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INCORPORATED, (MERS); BANK OF AMERICA, N.A.,

Defendants-Appellees

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 1:13-CV-154  
\_\_\_\_\_

Before WIENER, OWEN, and HAYNES, Circuit Judges.

PER CURIAM:\*

Plaintiffs-Appellants Grant and Clare Trevarthen, husband and wife, appeal the Rule §12(b)(6) dismissal with prejudice of their suit against

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

No. 13-50458

Defendants-Appellees. This action, originally filed in state court and removed therefrom, involved the foreclosure on their residence in Cedar Park, Texas. We affirm.

Like the district court before us, we have reviewed the Motion to Dismiss filed by Defendants-Appellants, the response of the Trevarthens, and the reply thereto of Defendants-Appellants, as well as the appellate briefs of the parties and the record on appeal. As a result, we are satisfied that the district court nailed this one precisely in the concluding paragraph of its Order of April 26, 2013. After noting that this is “not the first time Grant Trevarthen has appeared before this Court in frivolous foreclosure litigation” and after identifying prior cases of that ilk, the court concluded that “the spurious allegations and baseless causes of action asserted indicate this suit is simply more legal gamesmanship by the Trevarthans in their ongoing campaign to abuse the legal system and win a free house.” We agree, adding only that the instant appeal is equally spurious and contumacious.

AFFIRMED.