

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

No. 19-20326
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

February 28, 2020

Lyle W. Cayce
Clerk

In the Matter of: KEHINDE ADEYEMI ELEBUTE,

Debtor

KEHINDE ADEYEMI ELEBUTE,

Appellant

v.

VILLAGE CAPITAL & INVESTMENT, L.L.C.,

Appellee

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:18-CV-4504

Before WIENER, HAYNES, and COSTA, Circuit Judges.

PER CURIAM:*

In his bankruptcy proceeding, Kehinde Adeyemi Elebute brought an adversary proceeding alleging wrongful foreclosure against Village Capital. The bankruptcy court granted summary judgment against Elebute. Several

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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. 19-20326

months later, Elebute sought to vacate the judgment under Federal Rule of Civil Procedure 60(b)(1). Elebute argued that the bankruptcy court had mistakenly relied on an unsigned sales contract in granting summary judgment. The bankruptcy court denied that motion, and the district court affirmed that denial. Seeing no abuse of discretion in the bankruptcy court's refusal to reopen the case, we also AFFIRM its denial of Rule 60(b)(1) relief.