

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 00-1378

Patricia Allen,

Appellant,

v.

Fidelity Financial Services; First
National Repossessors; North
Suburban Towing,

Appellees.

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

[UNPUBLISHED]

Submitted: October 17, 2000

Filed: October 20, 2000

Before McMILLIAN, BOWMAN, and LOKEN, Circuit Judges.

PER CURIAM.

Patricia Allen brought an action alleging that the defendants committed several violations of law when they repossessed her 1997 Dodge Neon. The District Court¹ granted summary judgment in favor of the defendants dismissing all of Allen's claims. Allen appeals.

¹The Honorable Ann D. Montgomery, United States District Judge for the District of Minnesota.

Having reviewed the briefs and record, we are satisfied that the grant of summary judgment was correct. Viewing the undisputed facts and accepting Allen's version of the disputed facts, we conclude that Allen has failed as matter of law to make a submissible case of either assault, battery, or intentional infliction of emotional distress. Similarly, we conclude that Allen's evidence cannot sustain a finding that a breach of peace occurred. We also conclude that the District Court was correct in ruling, as a matter of law, that defendants did not violate either the Minnesota Uniform Commercial Code or the federal Fair Debt Collection Practices Act in repossessing the Dodge Neon.

We have considered all of Allen's arguments on appeal, and we find them meritless. 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.