

IN THE COURT OF APPEALS OF IOWA

No. 0-408 / 09-1869
Filed July 28, 2010

**FIDELITY BANK & TRUST, f/k/a
STATE BANK,**
Plaintiff-Appellee,

vs.

JEROME M. SIMON,
Defendant-Appellant,

Appeal from the Iowa District Court for Dubuque County, Lawrence
Fautsch, Judge.

Debtor appeals the court's order granting summary judgment to bank.

AFFIRMED.

David L. Hammer and Susan M. Hess of Hammer, Simon & Jensen,
Dubuque, for appellant.

Wesley B. Huisinga of Shuttleworth & Ingersoll, Cedar Rapids, for
appellee.

Considered by Sackett, C.J., and Eisenhauer and Mansfield, JJ.

EISENHAUER, J.

In this mortgage foreclosure action Jerome Simon appeals the district court's order denying his application for moratorium and granting summary judgment in favor Fidelity Bank & Trust. We affirm pursuant to Iowa Rule of Appellate Procedure 6.1203(a), (d).

AFFIRMED.