

**IN THE COURT OF APPEALS OF IOWA**

No. 6-739 / 05-1881  
Filed November 16, 2006

**KENNETH HAROLD SWIPIES,**  
Plaintiff-Appellant,

**vs.**

**CITY OF OTO,**  
Defendant-Appellee.

---

Appeal from the Iowa District Court for Woodbury County, John D. Ackerman, Judge.

Plaintiff Kenneth Swipies appeals from rulings in favor of defendant City of Oto in plaintiff's action for injunctive relief. **AFFIRMED.**

Kenneth Swipies, LaPine, Oregon, pro se.

Kathleen Roe of Hellige, Frey & Roe, R.L.L.P., Sioux City, for appellee.

Considered by Vogel, P.J., and Miller and Eisenhauer, JJ.

**PER CURIAM**

Plaintiff-appellant Kenneth Swipies challenges two rulings made by the district court in one lawsuit brought by Swipies, a ruling granting the defendant City of Oto partial summary judgment and a ruling in favor of the city following trial on the merits of remaining issues. We review the district court's ruling granting partial summary judgment for correction of errors at law. *Kragnes v. City of Des Moines*, 714 N.W.2d 632, 637 (Iowa 2006); *Thompson v. Estate of Herron*, 561 N.W.2d 33, 33 (Iowa 1997). Although the plaintiff's lawsuit sought injunctive relief, it was filed as a law action and nothing in the briefs or appendix suggests that the trial on the remaining issues was tried in equity. We therefore conclude our review of the district court's ruling that followed trial is also for correction of errors at law. See Iowa R. App. P. 6.4. Following careful review of the district court's challenged rulings, we affirm. See Iowa R. App. P. 6.24(1), (4).

**AFFIRMED.**