

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

U.S. BANK NATIONAL ASSOCIATION,	)	
	)	
Respondent,	)	ED99551
	)	
v.	)	
	)	Appeal from the Circuit Court
JEANA M. BURNS,	)	of St. Louis County
	)	10SL-CC03331
Appellant,	)	
	)	
and	)	Honorable Gloria Clark Reno
	)	
TRUSTEES OF WILDHORSE,	)	
	)	Filed: August 27, 2013
Respondent.	)	

Jeana Burns (Appellant) appeals the trial court’s summary judgment in favor of U.S. Bank National Association (US Bank), as Indenture Trustee for the Registered Holders of Aegis Asset Back Securities Trust 2005-2, Mortgage Backed Notes. Appellant also appeals the trial court’s judgment on the pleadings in favor of Trustees of Wildhorse (Subdivision). Appellant argues that there are disputed issues of material fact that precluded summary judgment, and that the judgment on the pleadings erroneously included an unrelated party.

**AFFIRMED IN PART; MODIFIED IN PART AND AFFIRMED AS MODIFIED.**

Division Five Holds: No genuine issue of material fact exists regarding whether US Bank was the holder of the Deed of Trust and therefore entitled to enforce it under Missouri’s Uniform Commercial Code. The trial court did not err in concluding that US Bank was entitled to summary judgment as a matter of law.

The parties agree the trial court’s judgment on the pleadings erroneously includes an unrelated party, Daryl Burns, and the record confirms this was error. We modify the judgment to remove Daryl Burns, and we affirm the trial court’s judgment on the pleadings as modified, against Appellant and in favor of Subdivision.

Opinion by: Gary M. Gaertner, Jr., J.  
Robert M. Clayton III, C.J., and Michael K. Mullen, S.J., concur.

Attorney for Appellant: Jennifer A. Coke  
Attorney for Respondent: Michael E. Boyd

**THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.**