IN THE COURT OF APPEALS OF IOWA

No. 7-056 / 95-1798

THE FEDERAL LAND BANK OF OMAHA, A Corporation, n/k/a **FARM CREDIT BANK OF OMAHA,**
Appellee,

vs.

STANLEY R. FAWCETT and **MARCIA L. FAWCETT,**
Appellants.

FILED
APR 30 1997
CLERK SUPREME COURT

Appeal from the Iowa District Court for Winneshiek County, Margaret L. Lingreen, Judge.

Defendants appeal a district court order granting the plaintiff's petition for forcible entry and detainer from a farm which defendants leased. **AFFIRMED.**

Stanley R. Fawcett and Marcia L. Fawcett, Burr Oak, pro se, appellants.

Dale L. Putnam of Putnam Law Office, Decorah, for appellee.

Considered en banc.

PER CURIAM

This is an appeal from a district court order granting the plaintiff's petition for forcible entry and detainer from a farm which defendants leased. We affirm on appeal by memorandum opinion pursuant to Iowa Supreme Court Rule 9.

Defendants, Stanley and Marcia Fawcett, argue there was insufficient evidence to grant the petition for forcible entry and detainer for the following reasons: (1) the courtroom was under martial law because a flag on display resembled a military flag; (2) the defendants are sovereign individuals, and thus, cannot be sued; and (3) there was no remedy available to the defendants as there is no legal tender in the United States for which to pay their debt.

Because a forcible entry and detainer action is tried in equity, our review is de novo. *Bernet v. Rogers*, 519 N.W.2d 808, 810 (Iowa 1994). Although we are not bound by the district court's findings of fact, we give them weight, especially when considering the credibility of witnesses. *Id.*

We find plaintiff properly served the Notice to Quit upon the defendants and complied with all the provisions of Iowa Code chapter 648. After carefully considering the defendants' arguments, we affirm the trial court.

AFFIRMED.