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NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States* v. *Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

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UNITED STATES *v.* BEGGERLY ET AL.

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

No. 97–731. Argued April 27, 1998– Decided June 8, 1998

In 1979, the United States sued respondents and others to quiet title to land it sought for a federal park, contending that respondents did not have clear title because the Government had never patented the disputed land after acquiring it as part of the Louisiana Purchase. Government officials searched public land records during discovery, but reported to respondents that they found no proof of a grant to a private landowner. A 1982 settlement agreement quieted title in the Government's favor in return for a payment to respondents. In 1994, respondents sued to set aside the settlement agreement and obtain damages, claiming that they had evidence showing that the land had been granted to a private owner before the Louisiana Purchase, but the District Court concluded that it had no jurisdiction to hear the case. The Fifth Circuit reversed, finding two jurisdictional bases: (1) the suit was an "independent action" to set aside the settlement under Federal Rule of Civil Procedure 60(b); and (2) the Quiet Title Act (QTA or Act). In reaching the second conclusion, the court found that the QTA's 12-year statute of limitations was subject to equitable tolling and therefore suit was not barred by the fact that respondents had known about the Government's claim since 1979. The court then vacated the settlement agreement and instructed the District Court to quiet title in respondents' favor.

Held: The Fifth Circuit had no jurisdiction over respondents' suit. Pp. 4–11.

(a) Rule 60(b)'s history and language are inconsistent with the Government's position that an "independent action" to set aside a judgment requires an independent source of jurisdiction. The original Rule 60(b) established a new system to govern requests to reopen judgments. Because it was unclear whether that Rule provided the

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exclusive means for obtaining postjudgment relief, the Rule was amended in 1946 to clarify that nearly all of the old forms of obtaining relief from a judgment were abolished but that the "independent action" survived. However, this does not mean that the requirements for a meritorious independent action have been met here. Such actions should be available only to prevent a grave miscarriage of justice. See *Hazel-Atlas Co.* v. *Hartford Co.*, 322 U. S. 238, 244. Respondents' allegation that the United States failed to thoroughly search its records and make full disclosure to the District Court regarding the land grant obviously does not approach this demanding standard. Pp. 4–9.

(b) Equitable tolling is not available in a QTA suit. Such tolling is not permissible where it is inconsistent with the relevant statute's text. The QTA's express 12-year statute of limitations runs from the date the plaintiff or his predecessor in interest "knew or should have known" of the United States' claim. 28 U. S. C. §2409(g). Thus, the Act has already effectively allowed for equitable tolling. See *Irwin v. Department of Veterans Affairs*, 498 U. S. 89, 96. Given this fact and the QTA's unusually generous limitations period, extension of the statutory period would be unwarranted. Pp. 10–11.

114 F. 3d 484, reversed and remanded.

REHNQUIST, C. J., delivered the opinion for a unaimous Court. STEVENS, J., filed a concurring opinion, in which SOUTER, J., joined.