

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 01-3219

Mary P. Loeffler,

Appellant,

v.

Imperial Manor Nursing Home; Cigna
Property and Casualty Companies,

Appellees.

*
*
* Appeal from the United States
* District Court for the
* District of Nebraska.
*
* [UNPUBLISHED]
*
*
*

Submitted: December 7, 2001
Filed: December 27, 2001

Before McMILLIAN, MORRIS SHEPPARD ARNOLD, and BYE, Circuit Judges.

PER CURIAM.

Mary P. Loeffler appeals the magistrate judge's order refusing to file her complaint because the district court lacked subject matter jurisdiction, and because the complaint and accompanying application to proceed in forma pauperis were unsigned. Having carefully reviewed the record, it appears that the district court construed Loeffler's document entitled "Appeal" as a notice of appeal directly to this court; however we are convinced that Loeffler was attempting to appeal the magistrate judge's order to the district court as the order had specified she could do.

See Fed. R. Civ. P. 72(a) (within 10 days after being served with copy of magistrate judge's order in nondispositive matter, party may serve and file objections to order).

Accordingly, we dismiss this appeal and remand the case to the district court for further proceedings.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.