

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 03-1222

Betty R. Porter,

Appellant,

v.

Jennifer Welsh, M.D.; William Miller,
M.D.,

Appellees.

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* Appeal from the United States
* District Court for the
* District of Minnesota.
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* [UNPUBLISHED]
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Submitted: June 6, 2003
Filed: August 19, 2003

Before BOWMAN, MELLOY, and SMITH, Circuit Judges.

PER CURIAM.

Betty R. Porter appeals the decision of the District Court¹ to grant summary judgment to the defendants in her diversity medical malpractice action after the District Court determined that Porter had failed to meet the requirements of Minn. Stat. § 145.682 (West 1998) (certification of expert review). Having reviewed de novo the Court's interpretation and application of § 145.682, see Reimer v. City of Crookston, 326 F.3d 957, 961 (8th Cir. 2003), we agree with the District Court that expert testimony was required and that a psychologist was not qualified to render

¹The Honorable Joan N. Ericksen, United States District Judge for the District of Minnesota.

expert opinions in this case. Accordingly, we affirm, see 8th Cir. R. 47B, and we deny Porter's motion to supplement the record.

A true copy.

Attest:

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