

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 05-3007

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Jireh Consulting, doing business as The	*	
Writing Company, Inc.,	*	
	*	
Plaintiff,	*	
	*	Appeal from the United States
Jerroll M. Sanders,	*	District Court for the
	*	Eastern District of Missouri.
Appellant,	*	
	*	[UNPUBLISHED]
v.	*	
	*	
Lisa Ross, (McGonigle); Gregory	*	
Rothwell; James Williams; Sheila	*	
Jenkins; Christopher Rothwieler;	*	
Pamela Gardner; David Williams;	*	
United States of America,	*	
	*	
Appellees.	*	

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Submitted: August 7, 2006  
Filed: August 16, 2006

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Before MURPHY, BYE, and MELLOY, Circuit Judges.

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PER CURIAM.

Jerroll Sanders appeals the district court's<sup>1</sup> order dismissing her Federal Tort Claims Act (FTCA) lawsuit for lack of subject matter jurisdiction. Having carefully reviewed the record, see LeMay v. U.S. Postal Serv., 450 F.3d 797, 799 (8th Cir. 2006) (reviewing de novo dismissal for lack of subject matter jurisdiction), we agree with the district court that Sanders failed to meet her burden to present specific facts rebutting the Attorney General's 28 U.S.C. § 2679(d) certification, see Lawson v. United States, 103 F.3d 59, 60 (8th Cir. 1996), and we reject Sanders's argument that discovery and an evidentiary hearing were required in the instant case on the scope-of-employment issue. The district court thus properly concluded it lacked subject matter jurisdiction over Sanders's lawsuit, given her admission that she had not filed an administrative claim under the FTCA. See Bellecourt v. United States, 994 F.2d 427, 430 (8th Cir. 1993).

Accordingly, we affirm. See 8th Cir. 47B. We also deny Sanders's pending motion.

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<sup>1</sup>The Honorable Donald J. Stohr, United States District Judge for the Eastern District of Missouri.