

United States Court of Appeals
For the Eighth Circuit

No. 17-3120

Tynisha Latrice Reinerio, now known as Akosua Tanisha Aaebo

Plaintiff - Appellant

v.

Bank of America N.A.; Countrywide Financial Corporation; Countrywide Home
Loans, Inc.; CWAB, Inc.; Bank of New York Mellon; Southlaw P.C.

Defendants - Appellees

Appeal from United States District Court
for the Western District of Missouri - Kansas City

Submitted: June 1, 2018

Filed: June 6, 2018

[Unpublished]

Before WOLLMAN, BOWMAN, and GRASZ, Circuit Judges.

PER CURIAM.

Akosua Tanisha Aaebo, formerly known as Tynisha Latrice Reinerio, appeals from the order of the District Court¹ dismissing her claims as barred by res judicata and denying her motion to remand. She has also filed a motion in this Court for judicial notice.

After de novo review, we conclude that the District Court did not err in dismissing Aaebo's claims. See C.H. Robinson Worldwide, Inc. v. Lobrano, 695 F.3d 758, 763–64 (8th Cir. 2012) (standard of review); see also Chesterfield Vill., Inc. v. City of Chesterfield, 64 S.W.3d 315, 318–20 (Mo. 2002) (applying the Missouri common-law doctrine of claim preclusion); U.S. Fid. & Guar. Co. v. Commerical Union Ins. Co., 943 S.W.2d 640, 642 (Mo. 1997) (“The granting of a motion to dismiss for failure to state a claim is a final judgment on the merits sufficient to raise the defense of res judicata in a later proceeding.”). We further conclude that the District Court did not err in denying Aaebo's motion to remand. See Block v. Toyota Motor Corp., 665 F.3d 944, 947–48 (8th Cir. 2011) (reviewing de novo the denial of a motion to remand and explaining the fraudulent joinder standard).

We affirm the judgment of the District Court and deny Aaebo's pending motion.

¹The Honorable Fernando J. Gaitan, Jr., United States District Judge for the Western District of Missouri.