

United States Court of Appeals
For the Eighth Circuit

No. 20-1665

Bernard Fraction,

Plaintiff - Appellant,

v.

Douglas County Attorney's Office; Theresia M. Urich; Douglas County
Treasurer's Office; John W. Ewing, Jr., Treasurer; Director of Public Properties;
Dennis Rookstool; Tim Dolan; Richard G. Kopf,

Defendants - Appellees.

Appeal from United States District Court
for the District of Nebraska - Omaha

Submitted: September 28, 2020
Filed: October 1, 2020
[Unpublished]

Before COLLOTON, BENTON, and KOBES, Circuit Judges.

PER CURIAM.

Bernard Fraction appeals after the district court¹ dismissed his complaint for lack of subject matter jurisdiction. It is the plaintiff's burden to establish the district court's subject matter jurisdiction, and, on appeal, we review its existence de novo. *See Newcombe v. United States*, 933 F.3d 915, 917 (8th Cir. 2019). On careful review of the record and Fraction's arguments on appeal, we conclude that the district court properly determined that it lacked subject matter jurisdiction to consider the complaint.

The judgment of the district court is affirmed. See 8th Cir. R. 47B.

¹The Honorable John M. Gerrard, Chief Judge, United States District Court for the District of Nebraska.