

United States Court of Appeals
For the Eighth Circuit

No. 22-2342

Shavonda Smith

Plaintiff - Appellant

v.

Paxton Media Group, LLC; David M. Paxton, President and CEO, Individually
and in his official capacity

Defendants - Appellees

Appeal from United States District Court
for the Eastern District of Arkansas - Northern

Submitted: March 21, 2023
Filed: March 24, 2023
[Unpublished]

Before COLLOTON, KELLY, and GRASZ, Circuit Judges.

PER CURIAM.

Shavonda Smith appeals following the district court's¹ adverse grant of summary judgment in her counseled civil action. After careful review of the record and the parties' arguments on appeal, we affirm.

We conclude that the district court properly dismissed Smith's claim under the Racketeer Influenced and Corrupt Organizations Act (RICO), as she failed to state a civil RICO claim. See Waters v. Madson, 921 F.3d 725, 734 (8th Cir. 2019) (dismissal for failure to state claim is reviewed de novo). As to the district court's denial of Smith's motion for a stay pursuant to Federal Rule of Civil Procedure 56(d), we find no abuse of discretion in the district court's ruling, or in the court's denial of Smith's subsequent motion for reconsideration. See Toben v. Bridgestone Retail Operations, LLC, 751 F.3d 888, 894 (8th Cir. 2014) (district court's denial of Rule 56(d) motion is reviewed for abuse of discretion); Peterson v. Travelers Indem. Co., 867 F.3d 992, 997 (8th Cir. 2017) (reviewing ruling on motion for reconsideration for abuse of discretion). Finally, we conclude that summary judgment was proper as to Smith's remaining claims. See Said v. Mayo Clinic, 44 F.4th 1142, 1147 (8th Cir. 2022) (grant of summary judgment is reviewed de novo). Accordingly, we affirm. See 8th Cir. R. 47B.

¹The Honorable Brian S. Miller, United States District Judge for the Eastern District of Arkansas.