

United States Court of Appeals
For the Eighth Circuit

No. 23-2657

Kimberly Ann Smith

Plaintiff - Appellant

v.

Menard, Inc.

Defendant - Appellee

Appeal from United States District Court
for the Southern District of Iowa - Eastern

Submitted: May 17, 2024

Filed: May 24, 2024

[Unpublished]

Before LOKEN, SHEPHERD, and KOBES, Circuit Judges.

PER CURIAM.

Kimberly Smith appeals after the district court¹ entered judgment pursuant to an adverse jury verdict in her pro se negligence action. After careful review of the

¹The Honorable Stephen B. Jackson, Jr., United States Magistrate Judge for the Southern District of Iowa, to whom the case was referred for final disposition by consent of the parties pursuant to 28 U.S.C. § 636(c).

record and consideration of the issues properly before us, we find no basis for reversal. We conclude the district court did not err in ruling on the admissibility of certain evidence and testimony, see Vogt v. State Farm Life Ins. Co., 963 F.3d 753, 770-71 (8th Cir. 2020) (abuse of discretion review of evidentiary rulings), refusing to strike a juror for cause, see Moran v. Clarke, 443 F.3d 646, 650 (8th Cir. 2006) (abuse of discretion review of denial of strike for cause), and denying her motions for contempt and for a spoliation instruction, see Wal-Mart Stores, Inc. v. Cuker Interactive, LLC, 27 F.4th 622, 624 (8th Cir. 2022) (abuse of discretion review of denial of contempt order); Greyhound Lines, Inc. v. Wade, 485 F.3d 1032, 1035 (8th Cir. 2007) (abuse of discretion review of decision on spoliation sanction). We find no merit to Smith’s remaining arguments.

The judgment is affirmed. See 8th Cir. R. 47B. We deny Smith’s pending motions.
