

United States Court of Appeals
For the Eighth Circuit

No. 23-3529

Mary Turner

Plaintiff - Appellant

v.

Colleen Shogan, Archivist of The United States
Nationals Archives and Records Administration

Defendant - Appellee

Appeal from United States District Court
for the Eastern District of Missouri - St. Louis

Submitted: May 16, 2024
Filed: May 21, 2024
[Unpublished]

Before LOKEN, SHEPHERD, and KOBES, Circuit Judges.

PER CURIAM.

Mary Turner appeals the district court's¹ grant of summary judgment dismissing her *pro se* action alleging employment discrimination and retaliation claims against the Archivist of the United States National Archives and Records Administration (NARA).

Initially we conclude the district court did not err in denying Turner's motion for default judgment, as the record reflects a timely pending motion for a more definite statement and NARA was not required to file an answer while that motion was pending. See Norsyn, Inc. v. Desai, 351 F.3d 825, 828 (8th Cir. 2003). The court then granted NARA's motion for a more definite statement and ordered Turner to file an amended complaint.

Prior to completion of discovery, NARA moved to dismiss or in the alternative for summary judgment. Both sides submitted evidence in response, and Turner did not seek a continuance under Federal Rule of Civil Procedure 56(d). In a lengthy Memorandum and Order, the district court took up NARA's motion for summary judgment and, applying the Rule 56 standards of review, concluded that the evidence of record showed that Turner failed to establish, as a matter of law, her claims of retaliation, including retaliatory discipline; failure to provide a reasonable accommodation; hostile work environment; and disparate treatment. After careful review of the summary judgment record, we agree.

Accordingly, we affirm the judgment of the district court. See 8th Cir. R. 47B.

¹The Honorable Ronnie L. White, United States District Judge for the Eastern District of Missouri.