

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 07-2578

Douglas B. Stalley, on behalf of the
United States of America,

Appellant,

v.

Regency Hospital Company, a
Delaware Corporation; Regency
Hospital Company, LLC, a Delaware
Limited Liability Company; Regency
Hospitals, LLC, a Delaware Limited
Liability Company,

Appellees.

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Appeal from the United States
District Court for the
Western District of Arkansas.

[UNPUBLISHED]

Submitted: May 16, 2008
Filed: May 23, 2008

Before WOLLMAN, BRIGHT, and JOHN R. GIBSON, Circuit Judges.

PER CURIAM.

Douglas Stalley appeals the district court's¹ dismissal of his action to recover damages allegedly owed to the United States for violations of the Medicare Secondary

¹The Honorable Jimm Larry Hendren, Chief Judge, United States District Court for the Western District of Arkansas.

Payer statute, 42 U.S.C. § 1395y (MSP). This court addressed a similar appeal brought by Stalley in Stalley v. Catholic Health Initiatives, 509 F.3d 517, 519 (8th Cir. 2007), and concluded that the suit authorized by the MSP was a “private cause of action, which requires plaintiff to have standing in his own right, rather than a *qui tam* statute, which allows plaintiff to assert injury to the United States.” The court’s dismissal was proper. Accordingly, we affirm. See 8th Cir. R. 47B.
