United States Court of Appeals

For the Eighth Circuit
No. 11-2296
Derrick D. Howard
Plaintiff - Appellant
V.
Bank of America, N.A. as successor by merger to Lasalle Bank National Association, as Trustee for Certificate Holders of Bear Stearns Asset Backed Securities 1 LLC, Asset Backed Certificates, Series 2005-HE3 c/o EMC Mortgage Corporation
Defendant - Appellee
Appeal from United States District Court for the Eastern District of Missouri - St. Louis
Submitted: December 11, 2012 Filed: December 14, 2012 [Unpublished]
Before MURPHY, ARNOLD, and SMITH, Circuit Judges.
PER CURIAM.

Derrick Howard appeals the district court's¹ dismissal of his civil complaint. Having carefully reviewed the record, we agree with the district court that Howard's complaint was barred by res judicata, based on a judgment rendered in Missouri court in a prior legal proceeding between the same parties, and involving the same matter that was the subject of the instant complaint. See C.H. Robinson Worldwide, Inc. v. Lobrano, 695 F.3d 758, 764 (8th Cir. 2012) (law of forum that rendered first judgment controls res judicata analysis); Niere v. St. Louis Cnty., Mo., 305 F.3d 834, 837 (8th Cir. 2002) (per curiam) (elements of res judicata under Missouri law); Vogt v. Emmons, 158 S.W.3d 243, 247 (Mo. Ct. App. 2005) (res judicata renders judgment conclusive between same parties as to all issues that might have been litigated).

Accordingly, we	e affirm.	See 8th Cir.	R. 47B.	

¹The Honorable Catherine D. Perry, Chief Judge, United States District Court for the Eastern District of Missouri.