United States Court of Appeals

	or the Eighth Circuit
	No. 15-2137
	Joe L. Bailey
	Plaintiff - Appellant
	V.
Loans, Inc., Mortgage Asse 2007-QS3 aka RALI Series 200	ny Americas, as Trustee for Residential Accredit ets-Backed Pass- Through Certificates, Series 07-QSE Trust; Wells Fargo Bank, N.A. successor Wachovia Mortgage Corporation
	Defendants - Appellees
11	n United States District Court District of Missouri - Kansas City
	nitted: January 19, 2016 led: February 2, 2016 [Unpublished]
Before SMITH, BOWMAN, and	d KELLY, Circuit Judges.

PER CURIAM.

In this action challenging the non-judicial foreclosure sale of his Missouri residence, Joe Bailey appeals after the district court¹ granted a Fed. R. Civ. P. 12(b)(6) motion to dismiss his complaint. Upon careful de novo review, see Levy v. Ohl, 477 F.3d 988, 991 (8th Cir. 2007) (standard of review), we conclude that the complaint was properly dismissed, as nothing in Bailey's complaint indicated that the challenged conduct was carried out by a party that was not the lawful holder of his promissory note. See Lackey v. Wells Fargo Bank, N.A., 747 F.3d 1033, 1037-38 (8th Cir. 2014) (discussing rights and powers of holder of promissory note under Missouri law); see also Fullington v. Pfizer, Inc., 720 F.3d 739, 747 (8th Cir. 2013) (appellate court may affirm on any basis supported by record).

Accordingly, we affirm	n. <u>See</u> 8th Cir. R. 4/B.	

¹The Honorable Ortrie D. Smith, United States District Judge for the Western District of Missouri.