

United States Court of Appeals
For the Eighth Circuit

No. 18-2783

Ed Teague, II

Plaintiff - Appellant

v.

Regent Financial Group, Inc.; Ginnie Mae; Ginnie Mae, as Trustee for Securitized
Trust Ginnie Mae REMIC 2011-066 Trust; Flagstar Bank, FSB; Mortgage
Electronic Registration Systems, Inc. (“MERS”); Planet Home Lending, LLC

Defendants - Appellees

Appeal from United States District Court
for the District of Nebraska - Omaha

Submitted: May 15, 2019
Filed: May 21, 2019
[Unpublished]

Before ERICKSON, WOLLMAN, and GRASZ, Circuit Judges.

PER CURIAM.

In this foreclosure-related action, Ed Teague, II, appeals after the district court¹ dismissed his complaint under Federal Rule of Civil Procedure 12(b)(6). Upon careful de novo review, we conclude the district court did not err in determining that Teague failed to state a claim upon which relief could be granted. *See Kelly v. City of Omaha*, 813 F.3d 1070, 1075 (8th Cir. 2016) (standard of review). We further conclude the court did not abuse its discretion in failing to sua sponte allow Teague to amend his complaint before the court dismissed it with prejudice. *See Murphy v. Aurora Loan Servs., LLC*, 699 F.3d 1027, 1034 (8th Cir. 2012) (dismissal with prejudice is appropriate where the party never submitted proposed amended complaint or clarified what one might have contained); *Carlson v. Hyundai Motor Co.*, 164 F.3d 1160, 1162 (8th Cir. 1999) (“A district court does not abuse its discretion in failing to invite an amended complaint when plaintiff has not moved to amend and submitted proposed amended pleading.”).

Accordingly, the judgment of the district court is affirmed. *See* 8th Cir. R. 47B.

¹The Honorable Joseph F. Bataillon, United States District Judge for the District of Nebraska.