

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 20-1484

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Donna M. Gilbert; Julie Mohney; Charmaine White Face

*Plaintiffs - Appellants*

v.

RADM Michael D. Weahkee, Principal Deputy Director of Indian Health Service  
(IHS); James Driving Hawk, Great Plains IHS Area Director; William P. Barr,  
United States Attorney General

*Defendants - Appellees*

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Appeal from United States District Court  
for the District of South Dakota - Western

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Submitted: December 1, 2020  
Filed: December 4, 2020  
[Unpublished]

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Before COLLTON, SHEPHERD, and KOBES, Circuit Judges.

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PER CURIAM.

Donna Gilbert, Julie Mohney, and Charmaine White Face appeal the district court's<sup>1</sup> dismissal of their action challenging a tribal organization's contract with the Indian Health Service. Having carefully reviewed the record and the parties' arguments on appeal, we find no basis for reversal. See Jet Midwest Int'l Co. v. Jet Midwest Grp., LLC, 953 F.3d 1041, 1044 (8th Cir. 2020) (abuse of discretion review of denial of preliminary injunction; injunction cannot issue if there is no chance of success on merits); Montin v. Moore, 846 F.3d 289, 292 (8th Cir. 2017) (de novo review of Fed. R. Civ. P. 12(b) dismissal); Zimmerman v. HBO Affiliate Grp., 834 F.2d 1163, 1169-70 (3d Cir. 1987) (no abuse of discretion in finding class certification motion was mooted by dismissal of complaint).

The judgment is affirmed. See 8th Cir. R. 47B.

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<sup>1</sup>The Honorable Jeffrey L. Viken, United States District Judge for the District of South Dakota.