

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 16-16849

D.C. Docket No. 1:15-cv-00013-LJA

MIDWEST FEEDERS, INC.,
a Kansas corporation,

Plaintiff – Appellant,

versus

REGIONS BANK (INC) (ALABAMA),
an Alabama corporation,

Defendant – Appellee.

Appeal from the United States District Court
for the Middle District of Georgia

(January 3, 2018)

Before TJOFLAT and JULIE CARNES, Circuit Judges, and BLOOM,* District
Judge.

* Honorable Beth Bloom, United States District Judge for the Southern District of Florida, sitting
by designation.

PER CURIAM:

Midwest Feeders appeals the District Court's grant of a motion to dismiss its complaint for failure to state a claim. After review, and with the benefit of oral argument, we conclude the complaint was properly dismissed because the facts of this case do not give rise to any claim asserted by Midwest Feeders.

For example, it is obvious that Midwest Feeders is not within the class of “[p]erson[s] entitled to enforce’ an instrument” within the meaning of O.C.G.A. § 11-3-301. Furthermore, its common law conversion claim is clearly preempted by O.C.G.A. § 11-3-420. *See Ownbey Enters., Inc. v. Wachovia Bank, N.A.*, 457 F. Supp. 2d 1341, 1353–54 (N.D. Ga. 2006) (citing *Jacobs v. Metro Chrysler-Plymouth, Inc.*, 188 S.E.2d 250, 253 (Ga. Ct. App. 1972)).

For these reasons, and for the additional reasons well described in the District Court's September 30, 2016 order dismissing the complaint, we affirm.

AFFIRMED.