

**United States Court of Appeals  
FOR THE EIGHTH CIRCUIT**

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No. 09-1410

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Lindsey K. Springer,

Appellant,

v.

Springfield Business Journal; Martin  
Dingman; Shane Grady, Matt Wagner,

Appellees.

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\* Appeal from the United States  
\* District Court for the  
\* Western District of Missouri.  
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\* [UNPUBLISHED]  
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Submitted: January 29, 2010

Filed: February 4, 2010

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Before **BYE, RILEY, and SHEPHERD**, Circuit Judges.

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PER CURIAM.

Lindsey Springer appeals the district court’s<sup>1</sup> adverse judgment in his diversity action alleging defamation. After careful review, we find his arguments to be without merit. See Schaaf v. Residential Funding Corp., 517 F.3d 544, 549 (8th Cir.) (de novo standard of review for Rule 12(b)(6) dismissal), cert. denied, 129 S. Ct. 222 (2008), Johnson v. Blauket, 453 F.3d 1108, 1112 (8th Cir. 2006) (de novo standard of review

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<sup>1</sup>The Honorable Sarah W. Hays, United States Magistrate Judge for the Western District of Missouri, to whom the case was referred for final disposition by consent of the parties pursuant to 28 U.S.C. § 636(c).

for summary judgment decision); Pony Computer, Inc. v. Equus Computer Sys. of Mo., 162 F.3d 991, 996 (8th Cir. 1998) (determination that claim is ripe for summary judgment is reviewed for abuse of discretion); Perkins v. Spivey, 911 F.2d 22, 28 n.6 (8th Cir. 1990) (noting that otherwise proper ruling is not erroneous merely because it has incidental effect of precluding jury trial). Accordingly, we affirm. See 8th Cir. R. 47B.

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