

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

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No. 09-3526

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Ruthie Mae Stewart,	*	
	*	
Appellant,	*	Appeal from the United States
	*	District Court for the
v.	*	Northern District of Iowa.
	*	
General Mills Operations, LLC,	*	[UNPUBLISHED]
	*	
Appellee.	*	

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Submitted: May 3, 2010  
Filed: May 21, 2010

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Before LOKEN, BYE, and SHEPHERD, Circuit Judges.

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PER CURIAM.

Ruthie Mae Stewart appeals the district court's<sup>1</sup> dismissal of her action in which she alleged that General Mills violated the Family and Medical Leave Act of 1993. After careful de novo review, see Banks v. Int'l Union Elec., Elec., Technical, Salaried & Mach. Workers, 390 F.3d 1049, 1052 (8th Cir. 2004), we conclude that dismissal of the suit on federal-law res judicata grounds was proper, see Taylor v. Sturgell, 128 S. Ct. 2161, 2171 (2008) (preclusive effect of federal-court judgment in federal-question case is determined by federal common law); Rutherford v. Kessel,

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<sup>1</sup>The Honorable Linda R. Reade, Chief Judge, United States District Court for the Northern District of Iowa.

560 F.3d 874, 877 (8th Cir. 2009) (res judicata precludes second suit if "its claims arise out of the same nucleus of operative facts as the prior claim"). Accordingly, we affirm. See 8th Cir. R. 47B.

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