

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

No. 11-1028

Cindy J. Cook,

Plaintiff - Appellant,

v.

Anthony A. Petrocchi; Anthony A.
Petrocchi, P.C.,

Defendants - Appellees.

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Appeal from the United States
District Court for the
District of Minnesota.

[UNPUBLISHED]

Submitted: November 14, 2011
Filed: January 9, 2012

Before WOLLMAN, MURPHY, and BENTON, Circuit Judges.

PER CURIAM.

Cindy J. Cook appeals the district court's¹ dismissal of her complaint alleging violations of the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. § 1692e. In 2007, Cook obtained a mortgage loan. Real Time Resolutions (RTR) was the loan servicer. In August 2009 – and again in March 2010 – attorney Anthony A. Petrocchi wrote Cook for his client, RTR, stating that RTR had tried to contact her to collect

¹The Honorable Ann D . Montgomery, United States District Judge for the District of Minnesota.

payment on the mortgage and that failure to respond to the letters “may result in RTR filing legal action” against her. Cook sued, alleging the letters violated the FDCPA. The district court dismissed Cook’s complaint for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6) and *Ashcroft v. Iqbal*, 129 S. Ct. 1937, 1949 (2009).

We review de novo a district court’s dismissal under Rule 12(b)(6). *See Van Zee v. Hanson*, 630 F.3d 1126, 1128 (8th Cir. 2011) (citing *Gregory v. Dillard’s, Inc.*, 565 F.3d 464, 472 (8th Cir. 2009) (en banc)). Having reviewed the record and considered Cook’s arguments, we affirm on the basis of the analysis set forth in the district court’s thorough memorandum opinion and order. *See* 8th Cir. R. 47B.
