

United States Court of Appeals  
For the Eighth Circuit

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No. 15-1208

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Hollie Telford, formerly known as Hollie Lundahl

*Plaintiff - Appellant*

v.

United States of America

*Defendant - Appellee*

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Appeal from United States District Court  
for the District of Nebraska - North Platte

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Submitted: July 17, 2015

Filed: July 31, 2015

[Unpublished]

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Before LOKEN, BOWMAN, and GRUENDER, Circuit Judges.

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PER CURIAM.

Hollie Telford appeals following the district court's<sup>1</sup> dismissal of her Federal Tort Claims Act action and denial of her postjudgment motions. We affirm.

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<sup>1</sup>The Honorable Lyle E. Strom, United States District Judge for the District of Nebraska.

Upon careful review, we conclude that the district court did not clearly err in finding that Telford failed to satisfy her burden of showing she presented her claims to the appropriate federal agency for administrative review. See 28 U.S.C. § 2675(a); Flores v. United States, 689 F.3d 894, 900 (8th Cir. 2012) (district court may weigh evidence in considering its jurisdiction); Bellecourt v. United States, 994 F.2d 427, 430 (8th Cir. 1993) (standard of appellate review). The district court thus correctly dismissed the action for lack of jurisdiction, see Mader v. United States, 654 F.3d 794, 808 (8th Cir. 2011) (en banc) (conformity with § 2675(a) is jurisdictional). The court also did not abuse its discretion in denying Telford's postjudgment motions. We do not address the new matters that Telford raises on appeal.

Accordingly, we affirm. See 8th Cir. R. 47B. Telford asserts that we should modify the dismissal to be without prejudice, but we decline to do so because she cites no Federal Tort Claims Act authority supporting the assertion. Her motion to file a supplemental appendix is denied.

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