

United States Court of Appeals
For the Eighth Circuit

No. 15-2275

Sherry McDaniel

Plaintiff - Appellant

v.

Kraft Global Foods

Defendant - Appellee

Appeal from United States District Court
for the Western District of Missouri - Springfield

Submitted: January 13, 2016

Filed: February 1, 2016
[Unpublished]

Before WOLLMAN, ARNOLD, SMITH, Circuit Judges.

PER CURIAM.

Sherry McDaniel appeals after the district court¹ dismissed her Title VII complaint as barred by the statute of limitations. Upon de novo review, we conclude

¹The Honorable M. Douglas Harpool, United States District Judge for the Western District of Missouri.

that the dismissal was proper, as McDaniel's own filings showed that she brought her lawsuit more than ninety days after receiving a right-to-sue notice from the Equal Employment Opportunity Commission, and tolling of the limitations period was not warranted. See 42 U.S.C. § 2000e-5(f)(1) (setting forth 90-day limitations period); Richter v. Advance Auto Parts, Inc., 686 F.3d 847, 851 (8th Cir. 2012) (explaining application of statute of limitation); Garfield v. J.C. Nichols Real Estate, 57 F.3d 662, 666 (8th Cir. 1995) (discussing equitable tolling); see also Schaaf v. Residential Funding Corp., 517 F.3d 544, 549 (8th Cir. 2008) (de novo standard of review).

Accordingly, we affirm. See 8th Cir. R. 47B.
