

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 15-2976

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James Melvin Lewis

*Plaintiff - Appellant*

v.

United States of America

*Defendant - Appellee*

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

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Submitted: April 4, 2016

Filed: April 7, 2016

[Unpublished]

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Before WOLLMAN, BOWMAN, and MURPHY, Circuit Judges.

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PER CURIAM.

James Lewis appeals after the District Court<sup>1</sup> dismissed for failure to state a claim his pro se Federal Tort Claims Act complaint alleging elder abuse by a

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<sup>1</sup>The Honorable Fernando J. Gaitan, Jr., United States District Judge for the Western District of Missouri.

Department of Veterans Affairs physician. We conclude, contrary to Lewis's arguments on appeal, that the District Court had jurisdiction to consider the United States's defenses to Lewis's claim. See 28 U.S.C. § 1346(b)(1) (granting district courts jurisdiction over civil actions for damages brought against the United States). Accordingly, we affirm. See 8th Cir. R. 47B.

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