

United States Court of Appeals
For the Eighth Circuit

No. 16-1782

Maurice Robinson

Plaintiff - Appellant

v.

Regional Medical Center at Memphis; University of Tennessee, Owner of UT Bowld Hospital; Dr. Chan Suddin; Dr. Abbas Chamsuddin; Dr. Keith Merrill, of UT Medical Group, Inc.; UT Medical Group, Inc.

Defendants - Appellees

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

Submitted: November 4, 2016
Filed: November 15, 2016
[Unpublished]

Before SMITH, BENTON, and SHEPHERD, Circuit Judges.

PER CURIAM.

Maurice Robinson appeals after the district court¹ dismissed his pro se complaint asserting medical malpractice claims. Without commenting on the district court's grounds for dismissal, we affirm because we conclude that the complaint was barred by the applicable statutes of limitations. See Mo. Rev. Stat. § 516.190 ("Whenever a cause of action has been fully barred by the laws of the state, territory or country in which it originated, said bar shall be a complete defense to any action thereon, brought in any of the courts of this state."); Tenn. Code. Ann. § 29-26-116(a)(1)-(2) (1-year statute of limitations in health care liability actions running from discovery of alleged injury), (a)(3) (no action may be brought more than 3 years after negligent act or omission, or 1 year from discovery of fraudulent concealment); see also *Jones v. Bock*, 549 U.S. 199, 215 (2007) (if allegations show that relief is barred by statute of limitations, complaint is subject to dismissal for failure to state claim); Spirtas Co. v. Nautilus Ins. Co., 715 F.3d 667, 670-71 (8th Cir. 2013) (this court can affirm on any basis supported by record).

We also conclude that the district court did not abuse its discretion in denying Robinson's various motions for reconsideration. See *Broadway v. Norris*, 193 F.3d 987, 989 (8th Cir. 1999) (motion for reconsideration directed to nonfinal order is properly construed as Fed. R. Civ. P. 60(b) motion; review is for abuse of discretion).

The judgment is affirmed.

¹The Honorable Greg Kays, Chief Judge, United States District Court for the Western District of Missouri.