

United States Court of Appeals
For the Eighth Circuit

No. 18-2157

Michelle A. Baker

Plaintiff - Appellant

v.

CitiMortgage, Inc.; Mortgage Electronic Registration System, Inc. ("MERS")

Defendants - Appellees

Appeal from United States District Court
for the District of Minnesota - Minneapolis

Submitted: February 13, 2019

Filed: February 26, 2019

[Unpublished]

Before LOKEN, COLLOTON, and KOBES, Circuit Judges.

PER CURIAM.

In this foreclosure-related action, Michelle Baker appeals after the district court¹ dismissed her complaint under Federal Rule of Civil Procedure 12(b)(6). After

¹The Honorable Susan Richard Nelson, United States District Judge for the District of Minnesota, adopting the report and recommendation of the Honorable

careful de novo review, we conclude that the district court did not err in determining that Baker failed to state a claim upon which relief could be granted. See Kelly v. City of Omaha, 813 F.3d 1070, 1075 (8th Cir. 2016) (standard of review). We further conclude that there is no merit to Baker’s arguments on appeal that she was improperly denied a hearing, an opportunity to engage in discovery, and a jury trial. See Fed. R. Civ. P. 78(b) (“[T]he court may provide for submitting and determining motions on briefs, without oral hearings.”); Toben v. Bridgestone Retail Operations, LLC, 751 F.3d 888, 895 (8th Cir. 2014) (district courts have wide discretion in handling discovery matters); Duncan v. Dep’t of Labor, 313 F.3d 445, 447 (8th Cir. 2002) (per curiam) (because dismissal was proper, there was no issue for trial). Accordingly, the judgment of the district court is affirmed. See 8th Cir. R. 47B.

Katherine M. Menendez, United States Magistrate Judge for the District of Minnesota.