

United States Court of Appeals
For the Eighth Circuit

No. 19-3178

Kevin Tharp,

Plaintiff - Appellant,

v.

CitiMortgage, Inc.,

Defendant - Appellee.

Appeal from United States District Court
for the District of Minnesota

Submitted: June 2, 2020

Filed: June 5, 2020

[Unpublished]

Before COLLOTON, BEAM, and ERICKSON, Circuit Judges.

PER CURIAM.

Kevin Tharp appeals the district court's¹ dismissal of his pro se action against CitiMortgage, Inc. Upon careful de novo review, we affirm. We agree that Tharp

¹The Honorable David S. Doty, United States District Judge for the District of Minnesota.

failed to state a claim regarding interference with his right to redemption, as he did not plead facts sufficient for the court to infer that CitiMortgage was liable for any wrongdoing. *See* Minn. Stat. § 580.23; *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). We also agree that Tharp’s claims arising under the Real Estate Settlement Procedures Act, and his state law claims for fraud and intentional infliction of emotional distress, were time-barred. *See* 12 U.S.C. § 2614; Minn. Stat. §§ 541.05, 541.07. Finally, we deny the request in Tharp’s reply brief to supplement the record on appeal. *See Dakota Indus., Inc. v. Dakota Sportswear, Inc.*, 988 F.2d 61, 63 (8th Cir. 1993).

The judgment is affirmed. *See* 8th Cir. R. 47B.
