

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 04-1793

Missouri Child Care Association,
doing business as Missouri Coalition
of Children's Agencies,

Appellant,

v.

Denise Cross, Dana K. Martin,

Appellees.

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* Appeal from the United States
* District Court for the
* Western District of Missouri.

* [UNPUBLISHED]

Submitted: June 17, 2004
Filed: July 28, 2004

Before RILEY, BOWMAN, and MELLOY, Circuit Judges.

PER CURIAM.

Plaintiff Missouri Child Care Association (MCCA), the prevailing party in this civil rights case, appeals the order of the District Court¹ awarding attorney fees to MCCA. MCCA argues that the court abused its discretion by reducing MCCA's claim for attorney fees by sixty percent. The District Court's reason for this downward adjustment of the lodestar amount was that MCCA, though it had

¹The Honorable Nanette Laughrey, United States District Judge for the Western District of Missouri.

succeeded in changing the legal relationship between the parties, had achieved only limited success. More specifically, the court reasoned that MCCA had obtained both declaratory and injunctive relief, but that these forms of relief did not ipso facto assure any increases in reimbursements to the foster-care providers who are MCCA's members. Given MCCA's real but limited success, the court found that a sixty percent reduction of the lodestar amount was reasonable.

A plaintiff's limited success is a legitimate reason to reduce a requested fee amount. See Polacco v. Curators of Univ. of Missouri, 37 F.3d 366, 370 (8th Cir. 1994). Having considered all of MCCA's arguments in support of its claim that its success was complete, not limited, and that the requested amount of attorney fees should be awarded in full, we find those arguments unpersuasive. In the circumstances of this case, we cannot say the District Court's fee award was an abuse of its discretion.

The order of the District Court is affirmed.
