

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 04-4036

Brian P. Crocker,

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Appellant,

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v.

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Appeal from the United States

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District Court for the

John Wetlaufer, employed as State of
Iowa Revenue Agent; Norine E.

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Southern District of Iowa.

Canney, owner of Shamrock
Construction Co.,

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[UNPUBLISHED]

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Appellees.

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Submitted: December 6, 2005

Filed: December 8, 2005

Before MELLOY, MAGILL, and GRUENDER, Circuit Judges.

PER CURIAM.

Brian P. Crocker appeals from orders of the district court¹ (1) dismissing his 42 U.S.C. § 1983 action against John Wetlaufer and Norine Canney, and (2) denying his Federal Rule of Civil Procedure 52(b) post-judgment motion to amend or enlarge the district court's findings. The district court's orders were decided on grounds that

¹The Honorable Charles R. Wolle, United States District Judge for the Southern District of Iowa.

Crocker received a full and fair opportunity to litigate in garnishment proceedings in Iowa state court in 2002, and res judicata bars issues that were or could have been asserted in those proceedings, including those being asserted in the case at bar. We note that, in a 2003 state-court action that Crocker brought against Canney, the Iowa courts precluded him from relitigating similar issues on the ground that they could have been asserted in the prior garnishment proceedings. We therefore agree with the district court's reasoning and conclusions in the present case. See Allen v. McCurry, 449 U.S. 90, 96, 104 (1980) (federal courts afford state-court judgments preclusive effect in § 1983 cases whenever the state courts themselves would do so, provided the adjudicating court acted within its proper jurisdiction and the parties had a full and fair opportunity to litigate the federal claim). The orders of the district court are affirmed. See 8th Cir. R. 47B.
