

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

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No. 05-1165

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Kristina A. Meadows,  
  
                  Appellant,  
  
          v.  
  
Travis J. Rudisill  
  
                  Appellee.

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\* Appeal from the United States  
\* District Court for the  
\* Western District of Missouri.  
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\* [UNPUBLISHED]  
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Submitted: October 14, 2005  
Filed: December 22, 2005

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Before LOKEN, Chief Judge, LAY, and BENTON, Circuit Judges.

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PER CURIAM.

In this diversity case, plaintiff Kristina A. Meadows appeals, asserting that the jury verdict for defendant is not supported by sufficient evidence and that the district court<sup>1</sup> should have granted judgment as a matter of law, or in the alternative, a new trial. As to the sufficiency of a verdict based on Missouri law, this court reverses only in the complete absence of probative facts to support it. *See Joel Bianco Kawasaki Plus v. Meramec Valley Bank*, 81 S.W.3d 528, 537 (Mo. banc 2002); *National American Insurance Co. v. Hogan*, 173 F.3d 1097, 1103 (8<sup>th</sup> Cir. 1999)(review of a

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<sup>1</sup>The Honorable Scott O. Wright, United States District Judge for the Western District of Missouri.

jury verdict in a diversity case, applies the same standard as used by the state where the district court sits). As to the after-trial rulings, when the verdict is attacked as against the weight of the evidence, this court gives great deference to the district court's rulings. *See Shaffer v. Wilkes*, 65 F.3d 115, 118 (8<sup>th</sup> Cir. 1995). Having carefully reviewed the record and applicable law in this two-vehicle, rear-end collision case, this court concludes that the evidence in support of the verdict is not insufficient, and no error of law appears. AFFIRMED. *See* 8<sup>th</sup> Cir. R. 47B.

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