

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

No. 06-3198

Elsie M. Mayard,

Appellant,

v.

Robert a. Dildine;

Gary B. Crawford,

Appellees.

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Appeal from the United States
District Court for the
District of Minnesota.

[UNPUBLISHED]

Submitted: May 2, 2007

Filed: May 7, 2007

Before BYE, RILEY, and GRUENDER, Circuit Judges.

PER CURIAM.

Elsie Mayard appeals from the district court's¹ order dismissing her suit against two attorneys, in which she asserted claims under 42 U.S.C. §§ 1981 and 1983. Appellees have moved to dismiss the appeal, asserting that Mayard failed to file a proper appellate brief, and Mayard has responded to appellees' motion. Following our careful de novo review, see Levy v. Ohl, 477 F.3d 988, 991 (8th Cir. 2007), we agree

¹The Honorable Richard H. Kyle, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Janie S. Mayeron, United States Magistrate Judge for the District of Minnesota.

with the district court that the various federal claims in the complaint are either res-judicata-barred or fail as a matter of law. We also conclude that the district court did not abuse its discretion in declining to entertain the supplemental state-law claim, although we modify the district court's judgment in that respect to reflect that the dismissal of the state-law claim is without prejudice.

Accordingly, we affirm the district court's judgment, see 8th Cir. R. 47A(a), and we deny as moot appellees' motion to dismiss.
