

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

No. 07-3369

City of Kansas City, Missouri,	*
	*
Appellee,	*
	*
v.	*
	*
Housing & Economic Development	*
Financial Corporation,	*
	*
Appellee,	* Appeal from the United States
	* District Court for the
	* Western District of Missouri.
David Bahner,	*
	*
Appellee,	* [UNPUBLISHED]
	*
	*
v.	*
	*
Linda Jackson,	*
	*
Appellant.	*

Submitted: December 3, 2008
Filed: December 24, 2008

Before WOLLMAN, SMITH, and GRUENDER, Circuit Judges.

PER CURIAM.

Linda Jackson appeals the district court's¹ judgment granting her claim for wages from the Housing & Economic Development Financial Corporation. Her principal contention on appeal is that the court erred in refusing to also grant her penalty wages. After careful review of the record before us, we conclude that the district court did not err in denying penalty wages under Mo. Rev. Stat. § 290.110, see Slavens v. William C. Haas Co., Inc., 563 S.W.2d 157, 160 (Mo. App. 1978) (§ 290.110 is penal statute which must be strictly construed), in light of the federal receivership that the court had established and the restrictions created by the court's related orders.

Jackson's remaining arguments were either not raised below or provide no basis for reversal. Finally, we conclude that the district court did not abuse its discretion in denying her motion for reconsideration.

The judgment is affirmed.

¹The Honorable Gary A. Fenner, United States District Judge for the Western District of Missouri, adopting the report and recommendations of the Honorable John T. Maughmer, United States Magistrate Judge for the Western District of Missouri.