

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 07-3367

Norman Banks,	*
	*
Appellant,	*
	* Appeal from the United States
v.	* District Court for the
	* Eastern District of Missouri.
AmerenUE; Craig Sherrill,	*
	* [UNPUBLISHED]
Appellees.	*

Submitted: January 6, 2009
Filed: February 25, 2009

Before WOLLMAN, MURPHY, and MELLOY, Circuit Judges.

PER CURIAM.

Norman Banks appeals the district court's¹ dismissal of his claims for fraud and unpaid wages. After careful de novo review, see Schaaf v. Residential Funding Corp., 517 F.3d 544, 549 (8th Cir.), cert. denied, 129 S. Ct. 222 (2008), we conclude that Banks's claims are barred by res judicata, see Phipps v. FDIC, 417 F.3d 1006, 1010 (8th Cir. 2005) (dismissal may be affirmed on any basis supported by record); United States v. Brekke, 97 F.3d 1043, 1047 (8th Cir. 1996) (factors determining whether res judicata applies); Yankton Sioux Tribe v. U.S. Dep't of Health & Human Servs., 533

¹The Honorable Jean C. Hamilton, United States District Judge for the Eastern District of Missouri.

F.3d 634, 639 (8th Cir. 2008) (res judicata applies to issues that party could have raised in prior action). We also reject Banks's arguments for reversal based on the district court's denial of leave to amend his complaint and the denial of his motion for recusal.

Accordingly, we affirm, and we deny Banks's pending motion. See 8th Cir. R. 47B.
