

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

No. 09-3805

Gloria Quinones,

Appellant,

v.

Eric K. Shinseki, Secretary of Veteran
Affairs,

Appellee.

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Appeal from the United States
District Court for the
Eastern District of Missouri.

[UNPUBLISHED]

Submitted: July 28, 2010
Filed: August 2, 2010

Before LOKEN, MURPHY, and BENTON, Circuit Judges.

PER CURIAM.

Gloria Quiñones¹ appeals the district court's² dismissal of her Title VII action claiming employment discrimination. After careful de novo review, see Coons v. Mineta, 410 F.3d 1036, 1039 (8th Cir. 2005); we agree with the district court that the

¹The record shows that Quiñones spells her name with a tilde over the first "n" in her name, despite how it appears on the docket sheet.

²The Honorable Thomas C. Mummert, United States Magistrate Judge for the Eastern District of Missouri, to whom the case was referred for final disposition by consent of the parties pursuant to 28 U.S.C. § 636(c).

record conclusively shows Quiñones failed to exhaust her administrative remedies because she did not timely file her formal discrimination complaint, see McAdams v. Reno, 64 F.3d 1137, 1141 (8th Cir. 1995) (exhaustion requirement). Further, Quiñones has failed to show that exceptional circumstances beyond her control contributed to the untimely filing for purposes of equitable tolling. See T.L. ex rel. Ingram v. United States, 443 F.3d 956, 963 (8th Cir. 2006) (discussing equitable tolling).

Accordingly, we affirm the judgment of the district court.
