

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 10-3249

Karolyn A. Handke,

Appellant,

v.

McBride, Lock & Associates; Charles
H. McBride; Robert J. Lock,

Appellees.

*
*
*
*
*
*
*
*
*
*

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

[UNPUBLISHED]

Submitted: February 4, 2011
Filed: June 17, 2011

Before MELLOY, GRUENDER, and BENTON, Circuit Judges.

PER CURIAM.

Karolyn Handke appeals the district court's¹ dismissal for failure to exhaust her discrimination complaint against her former employer. After careful de novo review, see Coons v. Mineta, 410 F.3d 1036, 1039 (8th Cir. 2005), we affirm. We agree with the district court that Handke's lawsuit was untimely filed more than 90 days after she received a right-to-sue letter on her June 2009 charge, which alleged her discharge was motivated by discrimination. Handke could not cure her untimeliness by filing

¹The Honorable Gary A. Fenner, United States District Judge for the Western District of Missouri.

a second charge based on the same adverse employment action. See Spears v. Mo. Dep't of Corr. & Human Res., 210 F.3d 850, 853 & n.2 (8th Cir. 2000); Williams v. Little Rock Mun. Water Works, 21 F.3d 218, 222 (8th Cir. 1994).

Accordingly, we affirm. See 8th Cir. R. 47B.
