

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 12-1240

Donna Lunday,

Appellant,

v.

Ken Salazar, Secretary, United
States Department of Interior, or his
predecessor-in-office; and United
States Department of Interior,

Appellees.

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* Appeal from the United States
* District Court for the
* District of North Dakota.
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* [UNPUBLISHED]
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Submitted: July 5, 2012
Filed: July 12, 2012

Before MURPHY, ARNOLD, and SHEPHERD, Circuit Judges.

PER CURIAM.

In this action claiming employment-related discrimination and retaliation, Donna Lunday appeals the district court's¹ adverse grant of summary judgment. Appellees suggest that the appeal should be dismissed for lack of jurisdiction, based

¹The Honorable Daniel L. Hovland, United States District Judge for the District of North Dakota.

upon an argument that the district court lacked subject matter jurisdiction. Appellees alternatively argue that summary judgment was correctly granted.

We note that appellees' argument regarding the district court's subject matter jurisdiction does not implicate our appellate jurisdiction. In any event, we conclude that jurisdiction was proper in the district court, see Warren v. Dep't of Army, 867 F.2d 1156, 1159 (8th Cir. 1989), and, upon careful de novo review, see Torgerson v. City of Rochester, 643 F.3d 1031, 1042 (8th Cir.) (en banc), cert. denied, 132 S. Ct. 513 (2011), we further conclude--for the reasons stated by the district court--that summary judgment was appropriately granted.

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