

United States Court of Appeals
For the Eighth Circuit

No. 12-2635

Layla M. Linegar

Plaintiff - Appellant

v.

Mark Lobanoff, M.D., and North
Suburban Eye Specialists, LLP

Defendants - Appellees

Appeal from United States District Court
for the District of Minnesota - Minneapolis

Submitted: February 20, 2013
Filed: March 7, 2013
[Unpublished]

Before WOLLMAN, BOWMAN, and GRUENDER, Circuit Judges.

PER CURIAM.

Layla Linegar appeals the district court's¹ order dismissing her diversity action asserting state medical tort claims, after Linegar acknowledged that she did not have an expert witness to testify at trial. After careful review, see Schaffart v. ONEOK, Inc., 686 F.3d 461, 470 (8th Cir. 2012) (grant of judgment as matter of law is reviewed de novo), we conclude that the dismissal was proper for the reasons stated by the district court, see Fabio v. Bellomo, 504 N.W.2d 758, 762 (Minn. 1993) (expert-testimony requirement for medical-malpractice claim); Reinhardt v. Colton, 337 N.W.2d 88, 96 (Minn. 1983) (expert-testimony requirement for negligent-nondisclosure claim). The judgment is affirmed. See 8th Cir. R. 47B.

¹The Honorable Paul A. Magnuson, United States District Judge for the District of Minnesota.