

United States Court of Appeals

FOR THE EIGHTH CIRCUIT

No. 96-3073

| | |
|---------------------------|---|
| Martin H. Tonn, | * |
| | * |
| Appellant, | * |
| | * |
| v. | * |
| | * |
| United States of America, | * |
| | * |
| Appellee. | * |

Appeal from the United States
District Court for the
District of Minnesota.
[UNPUBLISHED]

Submitted: March 3, 1997

Filed: March 10, 1997

Before BOWMAN, WOLLMAN, and BEAM, Circuit Judges.

PER CURIAM.

Martin H. Tonn appeals the district court's¹ Federal Rule of Civil Procedure 12(b)(1) dismissal of his due process claim against the United States for lack of subject matter jurisdiction. Having reviewed the record and the parties' briefs, we conclude that the judgment of the district court was correct. Accordingly, we affirm. See 8th Cir. R. 47B.

¹The Honorable Richard H. Kyle, United States District Judge for the District of Minnesota.

A true copy.

Attest:

CLERK, U. S. COURT OF APPEALS, EIGHTH CIRCUIT.