

United States Court of Appeals  
FOR THE EIGHTH CIRCUIT

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No. 97-2415WM

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Mary Anne Poores,

Appellant,

v.

Robert Rubin, in his capacity as  
Secretary of the Treasury for the  
United States of America,

Appellee.

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

[UNPUBLISHED]

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Submitted: November 5, 1997  
Filed: November 26, 1997

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Before FAGG, BOWMAN, and MURPHY, Circuit Judges.

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PER CURIAM.

Mary Anne Poores appeals the district court's order dismissing Poores's employment discrimination action on res judicata grounds. Having reviewed the record, we conclude the district court's ruling was clearly correct. Contrary to Poores's view, the dismissal of Poores's earlier action for failure to comply with the district court's scheduling order was a disposition on the merits, the district court correctly dismissed the same claims that Poores presented in her earlier action, and res judicata also bars Poores's newly asserted claims because these claims could have been litigated

in her earlier action. We thus affirm the judgment of the district court. See 8th Cir. R. 47B.

A true copy.

Attest:

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