

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 98-2450

William Barnes, M.D.,

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Plaintiff - Appellant,

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* Appeal from the United States

v.

* District Court for the

* District of North Dakota.

St. Joseph's Hospital d/b/a UniMed
Medical Center; Medical Arts
Clinic, P.C.; David G. Danielson;
Does 1-100, inclusive; PhyCor of
Minot, Inc.,

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* [UNPUBLISHED]

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Defendants - Appellees.

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Submitted: March 10, 1999

Filed: June 10, 1999

Before BEAM and HEANEY, Circuit Judges, and GOLDBERG,¹ Judge.

PER CURIAM.

¹The Honorable Richard W. Goldberg, Judge, United States Court of International Trade, sitting by designation.

William Barnes, M.D., appeals from a final order entered in the United States District Court² for the District of North Dakota granting defendants' motions to dismiss pursuant to Fed. R. Civ. P. 12(b)(6). In his complaint and amended complaints, Barnes alleged that defendants engaged in a pattern of mail and wire fraud, including filing false statements with the Immigration and Naturalization Service in violation of the Immigration and Naturalization Act of 1990, 8 U.S.C. §§ 1101, et seq. According to Barnes, defendants' alleged acts gave rise to a civil action under the Racketeering Influence and Corrupt Organizations Act ("RICO"), 18 U.S.C. § 1962(c). Barnes claimed that defendants' civil RICO violations resulted in the loss of his medical practice and other employment opportunities. In several orders, the district court concluded that the complaint and amended complaints failed to establish that defendants engaged in a pattern of racketeering activity and that appellant's alleged damages were not proximately related to the alleged RICO violations. Therefore, the district court dismissed Barnes's suit for failure to state a claim upon which relief could be granted.

Having carefully reviewed the record and the applicable legal principles, we find no error in the district court's disposition of this matter. Accordingly, we affirm the judgment of the district court. See 8th Cir. R. 47(B).

A true copy.

ATTEST:

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

²The Honorable Patrick A. Conmy, District Judge, United States District Court for the District of North Dakota.