



LaRonda Phox v. Virtuoso Sourcing Group, LLC

2018 | Cited 0 times | Eighth Circuit | July 2, 2018

United States Court of Appeals For the Eighth Circuit _____

No. 17-3254 _____

LaRonda Phox

|||||Plaintiff - Appellant

v.

Virtuoso Sourcing Group, LLC

|||||Defendant - Appellee _____

Appeal from United States District Court for the Western District of Missouri - Kansas City

Submitted: June 25, 2018 Filed: July 2, 2018 [Unpublished] _____

Before LOKEN, BOWMAN, and GRUENDER, Circuit Judges. _____

PER CURIAM.

LaRonda Phox appeals after the district court¹ entered an order imposing restrictions on future filings, and entered an order dismissing her complaint without prejudice under Federal Rule of Civil Procedure 12(b)(6).

We conclude that the district court did not err in dismissing Phox’s complaint. See *Plymouth Cty. v. Merscorp, Inc.*, 774 F.3d 1155 , 1158 (8th Cir. 2014) (reviewing Fed. R. Civ. P. 12(b)(6) dismissal de novo); see also *Ashcroft v. Iqbal*, 556 U.S. 662 , 678 (2009) (requiring plaintiff’s complaint to contain sufficient factual matter to state a claim to relief that is plausible on its face); *Dunham v. Portfolio Recovery Assocs., LLC*, 663 F.3d 997 , 1001 (8th Cir. 2011) (discussing Fair Debt Collection Practices Act); *Poehl v. Countrywide Home Loans, Inc.*, 528 F.3d 1093 , 1096 (8th Cir. 2008) (discussing Fair Credit Reporting Act).



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Given Phox's history of filing frivolous lawsuits, we also find no abuse of discretion in the district court's imposition of the filing restrictions. See *In re Tyler*, 839 F.2d 1290 , 1290-95 (8th Cir. 1988) (per curiam) (noting that courts have discretion to place reasonable restrictions on litigant who abuses judicial process); see also *Peck v. Hoff*, 660 F.2d 371 , 374 (8th Cir. 1981) (per curiam) (reviewing filing restriction for abuse of discretion).

Accordingly, we affirm the order dismissing Phox's complaint, and we affirm the order imposing filing restrictions. _____

1 The Honorable Greg Kays, Chief Judge, United States District Court for the Western District of Missouri.

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