

United States Court of Appeals For the First Circuit

No. 21-1490

HEEWON LEE,

Plaintiff - Appellant,

v.

BANK OF AMERICA, N.A.; HOME RETENTION SERVICES; JENNIFER PORTER;
SUSAN E. MAGADDINO; HEIDI ULINTZ,

Defendants - Appellees,

TARA PALMER,

Defendant.

Before

Barron*, Chief Judge,
Lynch, Thompson,
Kayatta and Gelpí, Circuit Judges.

ORDER OF COURT

Entered: September 1, 2022

The petition for rehearing having been denied by the panel of judges who decided the case and the petition for rehearing en banc having been submitted to the active judges of this court and a majority of the judges not having voted that the case be heard en banc, it is ordered that the petition for rehearing and petition for rehearing en banc be denied.

By the Court:

Maria R. Hamilton, Clerk

cc:

Heewon Lee, Connie Flores Jones

* Chief Judge Barron is recused and did not participate in the determination of this matter.

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BANK OF AMERICA, N.A.; HOME RETENTION SERVICES; JENNIFER PORTER;
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Defendants - Appellees,

TARA PALMER,

Defendant.

Before

Lynch, Thompson and Gelpí,
Circuit Judges.

JUDGMENT

Entered: June 14, 2022

Plaintiff-appellant Heewon Lee, proceeding pro se, appeals from the district court's March 5, 2021, decision dismissing his complaint as res judicata and for failure to state a claim upon which relief could be granted.

In addition to his appeal, Lee has filed a motion to file an amended reply brief and a corrected motion to file an amended reply. Those motions are allowed, and the tendered "(Corrected) Amended Reply to Defendant's Brief" is accepted for filing and has been considered. Regarding defendant-appellees' request that certain portions of the appendix be stricken, the court has considered only those documents properly a part of the record on appeal. See Fed. R. App. 10 (record on appeal).

After de novo review and careful consideration of the record on appeal, we affirm, substantially for the reasons set out by the district court. See Alston v. Town of Brookline, 997 F.3d 23, 36 (1st Cir. 2021) (res judicata standard of review and general principles); Squeri v. Mount

Ida College, 954 F.3d 56, 65 (1st Cir. 2020) (standard of review for Rule 12(b)(6) dismissal for failure to state a claim).

Affirmed. See 1st Cir. R. 27.0(c).

By the Court:

Maria R. Hamilton, Clerk

cc:

Heewon Lee

Connie Flores Jones



Mass General Brigham
Salem Hospital

North Shore Physicians Group
100 CUMMINGS CTR
STE 136P
BEVERLY MA 01915
Dept Phone #: 978-279-0800
Dept Fax #: 978-279-0805

October 20, 2022

Regarding:
Donhee Jung
DOB: [REDACTED]

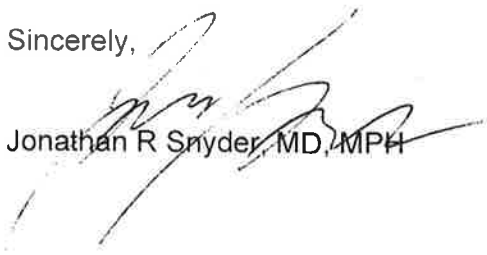
To Whom It May Concern:

Donhee Jung is a patient under my care. She has medical problem(s) including:
Alzheimers .

In my medical opinion the item(s) listed below should be covered as medically
necessary treatment for the condition(s) described: 24 hours per day of PCA care.

If additional information would prove helpful, please do not hesitate to contact my
office at 978-922-0357.

Sincerely,


Jonathan R Snyder, MD, MPH