

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 09-3752

James Germalic, Independent
Candidate for President, Pro Se,

Appellant,

v.

John Gale, Secretary of State
Lincoln, Nebraska,

Appellee.

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Appeal from the United States
District Court for the
District of Nebraska.

[UNPUBLISHED]

Submitted: July 20, 2010
Filed: July 23, 2010

Before **BYE, BOWMAN, and COLLOTON**, Circuit Judges.

PER CURIAM.

James Germalic appeals from the order of the District Court¹ dismissing his complaint for failure to state a claim. Germalic also has a pending motion to add thirty-nine pages to his reply brief. Upon de novo review, we conclude that the District Court did not err in dismissing Germalic's complaint for failure to state a claim. See Stone v. Harry, 364 F.3d 912, 914 (8th Cir. 2004) (noting that pro se

¹The Honorable Richard G. Kopf, United States District Judge for the District of Nebraska.

complaints should be liberally construed but nevertheless "must allege sufficient facts to support the claims advanced"); Ellis v. Norris, 179 F.3d 1078, 1079 (8th Cir. 1999) (affirming dismissal of 42 U.S.C. § 1983 complaint where plaintiff "failed to allege facts supporting any individual defendant's personal involvement or responsibility for the violations"); Reed v. Woodruff County, Ark., 7 F.3d 808, 810 (8th Cir. 1993) (explaining that to state a claim under § 1983, a plaintiff must allege that the defendant's actions "amounted to a violation of a right . . . protected by the Constitution or laws of the United States"); see also Schaaf v. Residential Funding Corp., 517 F.3d 544, 549 (8th Cir.) (standard of review), cert. denied, 129 S. Ct. 222 (2008).

Accordingly, we affirm the District Court. In addition, we deny Germalic's pending motion.
