

United States Court of Appeals  
For the Eighth Circuit

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No. 13-3448

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Auzio Hewlett

*Plaintiff - Appellant*

v.

Captain Gram; Jessica Gage; Lieutenant Santine

*Defendants - Appellees*

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Appeal from United States District Court  
for the District of Minnesota - Minneapolis

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Submitted: July 18, 2014

Filed: July 28, 2014

[Unpublished]

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Before BYE, SMITH, and KELLY Circuit Judges.

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PER CURIAM.

Federal inmate Auzio Hewlett appeals the district court's<sup>1</sup> adverse grant of summary judgment in his action under Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971). Upon de novo review, see Sisney v. Reisch, 674 F.3d 839, 843 (8th Cir. 2012), we find that there was no record support for Hewlett's constitutional claims, see Scheffler v. Molin, 743 F.3d 619, 620-21 (8th Cir. 2014) (when qualified-immunity defense is asserted, this court evaluates both whether defendant violated plaintiff's constitutional rights and whether those rights were clearly established; if there is no constitutional violation, however, this court need not proceed further). We also find no merit to Hewlett's arguments for reversal. The judgment of the district court is affirmed. See 8th Cir. R. 47B.

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<sup>1</sup>The Honorable Joan N. Ericksen, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Jeanne J. Graham, United States Magistrate Judge for the District of Minnesota.