

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 15-3423

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Elroy L. Wabashaw

*Plaintiff - Appellant*

v.

Michael L. Kenny, Dir, NDCS

*Defendant*

Brian Gage, Warden TSCI - in their individual and official capacities

*Defendant - Appellee*

Robert Houston, Former Dir, NDCS; Fred Britten, Former Warden TSCI

*Defendants*

Lt. Tremain, Officers - in their individual and official capacities; Ofc. Horn, in their individual and official capacities

*Defendants - Appellees*

Sgt. Thein

*Defendant*

Sgt. Lanlez, in their individual and official capacities; Stranberg, TSCI Caseworkers - in their individual and official capacities; Zweig, TSCI Caseworkers - in their individual and official capacities; Scott Frakes, in their individual and official capacities; Michele Capps, in their individual and official capacities;

Holley, in their individual and official capacities; Theimann, in their individual  
and official capacities

*Defendants - Appellees*

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Appeal from United States District Court  
for the District of Nebraska - Lincoln

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Submitted: May 31, 2016

Filed: June 9, 2016

[Unpublished]

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Before MURPHY, BOWMAN, and BENTON, Circuit Judges.

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PER CURIAM.

Nebraska inmate Elroy L. Wabashaw, formerly incarcerated at the Tecumseh State Correctional Institution, appeals the district court's<sup>1</sup> dismissal of his 42 U.S.C. § 1983 complaint. Having jurisdiction under 28 U.S.C. § 1291, this court affirms.

This court conducted de novo review of the record and carefully considered Wabashaw's arguments for reversal. *See Moore v. Sims*, 200 F.3d 1170, 1171 (8th Cir. 2000) (per curiam); *Cooper v. Schriro*, 189 F.3d 781, 783 (8th Cir. 1999) (per curiam).

The judgment is affirmed. *See* 8th Cir. R. 47B.

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<sup>1</sup>The Honorable John M. Gerrard, United States District Judge for the District of Nebraska.