

United States Court of Appeals
For the Eighth Circuit

No. 15-3424

Ronald K. Jordan

Plaintiff - Appellant

v.

Brian D. Hall, Correctional Officer, PCC, Individually; Joey Arcand, Caseworker,
PCC, Individually

Defendants - Appellees

Paul Johnson, Caseworker, PCC, Individually; Clifford Owens, FUM, PCC, Individually

Defendants

Appeal from United States District Court
for the Eastern District of Missouri - St. Louis

Submitted: June 1, 2017

Filed: June 6, 2017

[Unpublished]

Before GRUENDER, ARNOLD, and KELLY, Circuit Judges.

PER CURIAM.

Missouri inmate Ronald K. Jordan appeals following final judgment in his 42 U.S.C. § 1983 action. Mr. Jordan challenges the district court's¹ grant of summary judgment to defendant Joey Arcand; the verdict in favor of defendant Brian D. Hall after a bench trial; and several pre-trial and post-trial orders. We agree with the district court that there were no jury issues on Mr. Jordan's due process claim against Mr. Arcand. See Mason v. Corr. Med. Servs., Inc., 559 F.3d 880, 884-85 (8th Cir. 2009) (reviewing de novo grant of summary judgment, viewing evidence and drawing all reasonable inferences in favor of non-moving party). Further, we find no clear error in the district court's finding that Mr. Jordan did not show that Mr. Hall--in conducting searches of, and confiscating items from, Mr. Jordan's person or cell--was acting in retaliation for Mr. Jordan's engagement in protected activity. See Kaplan v. Mayo Clinic, 847 F.3d 988, 991 (8th Cir. 2017) (following bench trial, this court reviews de novo legal conclusions, and for clear error factual findings); Wright v. St. Vincent Health Sys., 730 F.3d 732, 739 (8th Cir. 2013) (district court's credibility findings in bench trial, like jury's credibility findings in jury trial, are virtually unassailable on appeal); Nelson v. Shuffman, 603 F.3d 439, 449-50 (8th Cir. 2010) (elements of retaliation claim). Finally, as to Mr. Jordan's remaining challenges to district court orders, they provide no basis for reversal. The judgment of the district court is affirmed. See 8th Cir. R. 47B

¹The Honorable Jean C. Hamilton, United States District Judge for the Eastern District of Missouri.