

United States Court of Appeals  
For the Eighth Circuit

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No. 16-4142

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John Anthony Spencer

*Plaintiff - Appellant*

v.

Warden FPC Duluth; CO Anderson; CO Baker; CO Gravdal; CO Brian H;  
Unknown CO with CO Baker on 12-19-12; Mail Room Staff of Dec. 12, 2012;  
FPC Duluth; Chris Nickrenz; Patrick Thyen

*Defendants - Appellees*

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

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Submitted: September 18, 2017  
Filed: September 21, 2017  
[Unpublished]

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Before GRUENDER, BENTON, and KELLY, Circuit Judges.

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PER CURIAM.

Federal inmate John Spencer appeals the district court's<sup>1</sup> adverse grant of

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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

summary judgment in his civil rights action filed under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971). Following careful *de novo* review of the record, we agree with the district court that defendants were entitled to summary judgment on Spencer's due process, denial-of-court-access, and retaliation claims for the reasons cited in the magistrate judge's report. We also find no abuse of discretion in the denial of appointment of counsel. The judgment is affirmed. *See* 8th Cir. R. 47B.

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Janie S. Mayeron, United States Magistrate Judge for the District of Minnesota.