

United States Court of Appeals  
For the Eighth Circuit

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No. 20-3429

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James Steeles

*Plaintiff - Appellant*

v.

Dr. Carl Doerhoff

*Defendant - Appellee*

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Appeal from United States District Court  
for the Western District of Missouri - Jefferson City

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Submitted: November 1, 2021

Filed: November 5, 2021

[Unpublished]

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Before LOKEN, GRUENDER, and ERICKSON, Circuit Judges.

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PER CURIAM.

Missouri inmate James Steeles appeals the district court's<sup>1</sup> dismissal of his 42 U.S.C. § 1983 claim that Dr. Carl Doerhoff violated his Eighth Amendment rights,

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<sup>1</sup>The Honorable Stephen R. Bough, United States District Judge for the Western District of Missouri.

and engaged in medical malpractice under state law, by performing a defective hernia surgery in January 2019. We conclude the district court did not err in dismissing the action. Steeles merely alleged that Dr. Doerhoff was negligent in performing the surgery, which did not amount to an Eighth Amendment violation, see Estelle v. Gamble, 429 U.S. 97, 106 (1976); and the court was permitted to decline to exercise supplemental jurisdiction over the state law claim upon dismissing the federal claim, see 28 U.S.C. § 1367(c)(3); Gibson v. Weber, 433 F.3d 642 (8th Cir. 2006).

Accordingly, we affirm. See 8th Cir. R. 47B.

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