

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 05-4491

Ricky Lee McDeid,	*
	*
Appellant,	*
	*
v.	* Appeal from the United States
	* District Court for the
	* District of Minnesota.
State of Minnesota; Kevin Goodno;	*
Rick Harry; Mike Tessneer; Larry	* [UNPUBLISHED]
TeBrake; Paula Johnson; Anita	*
Schlank; Steven Huot; Joanne	*
Fairfield; Tom Lundquist; Jerry	*
Zimmerman; Kirk Davis; Randy	*
Valentine; Barry Anderson; John	*
Mandernach; Thorn Torgerson,	*
	*
Appellees.	*

Submitted: January 3, 2008
Filed: August 31, 2009

Before BYE, RILEY, and MELLOY, Circuit Judges.

PER CURIAM.

Ricky Lee McDeid appeals the district court's¹ order granting defendants' summary judgment motion in his 42 U.S.C. § 1983 action. Upon de novo review, see

¹The Honorable Joan N. Ericksen, United States District Judge for the District of Minnesota, adopting the report and recommendation of the Honorable Franklin L. Noel, United States Magistrate Judge for the District of Minnesota.

Rouse v. Benson, 193 F.3d 936, 939 (8th Cir. 1999), we conclude summary judgment in favor of defendants was proper. We affirm the judgment of the district court. See Serna v. Goodno, 567 F.3d 944 (8th Cir. 2009); and see also 8th Cir. R. 47B.
