

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

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No. 06-2067

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Murlin R. Phillips,

Appellant,

v.

Larry Plunkett,

Appellee.

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\* Appeal from the United States  
\* District Court for the  
\* Eastern District of Missouri.

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\* [UNPUBLISHED]

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Submitted: September 28, 2007

Filed: October 5, 2007

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Before BYE, RILEY, and MELLOY, Circuit Judges.

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PER CURIAM.

Missouri inmate Murlin R. Phillips appeals the district court's<sup>1</sup> adverse grant of summary judgment in his 42 U.S.C. § 1983 lawsuit arising from exposure to environmental tobacco smoke while he was incarcerated at the Wayne County Jail. Having carefully reviewed the record and considered Phillips's arguments, we find no basis for reversal. See Larson v. Kempker, 414 F.3d 936, 939 (8th Cir. 2005) (standard of review). Accordingly, we affirm. See 8th Cir. R. 47B.

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<sup>1</sup>The Honorable Lewis M. Blanton, United States Magistrate Judge for the Eastern District of Missouri, to whom the case was referred for final disposition by consent of the parties pursuant to 28 U.S.C. § 636(c).