

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

No. 07-2673

Michael J. Jackson,

Appellant,

v.

Pamela Fick; Midwest Litigation
Service; John Doe, Owner,

Appellees.

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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* [UNPUBLISHED]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: November 7, 2008
Filed: November 17, 2008

Before WOLLMAN, SMITH, and GRUENDER, Circuit Judges.

PER CURIAM.

Missouri inmate Michael Jackson appeals the district court's¹ adverse grant of summary judgment in his 42 U.S.C. § 1983 action, in which he sued the court reporter in his state criminal trial, and others, for damages and a stay of his pending state-court appeal, based on allegations that the transcript of his trial was deliberately altered.

¹The Honorable E. Richard Webber, United States District Judge for the Eastern District of Missouri.

Reviewing the record de novo and viewing the evidence and all reasonable inferences from it in a light most favorable to Jackson, see Johnson v. Blaukat, 453 F.3d 1108, 1112 (8th Cir. 2006), we conclude that summary judgment was properly granted on the basis of qualified immunity, see Holt v. Dunn, 741 F.2d 169, 170 (8th Cir. 1984) (per curiam) (“qualified immunity protects court reporters who act pursuant to their lawful authority and follow in good faith the instructions or rules of the court”); see also Smith v. Tandy, 897 F.2d 355, 355-56 (8th Cir. 1990) (per curiam) (upholding district court’s grant of summary judgment on grounds of qualified immunity in suit against, inter alia, court reporter for omissions in trial transcript).²

The judgment is affirmed, and Jackson’s motion for oral argument is denied.

²The court also did not abuse its discretion in denying Jackson’s request for a stay of his state criminal appeal. See Younger v. Harris, 401 U.S. 37, 56 (1971) Aaron v. Target Corp., 357 F.3d 768, 774 (8th Cir. 2004).