United States Court of Appeals FOR THE EIGHTH CIRCUIT

No. 08-2478

* William Grace, Sr., * * Appellant, * Appeal from the United States * District Court for the Eastern v. * District of Missouri. E. Harris, Nurse; Susan Singer, Doctor; * Nurse Jones; Eugene Stubblefield, * [UNPUBLISHED] Individually and as Superintendent of * the Division of Corrections City of * * St. Louis. * * Appellees.

> Submitted: October 23, 2009 Filed: October 23, 2009

Before BYE, BOWMAN, and BENTON, Circuit Judges.

PER CURIAM.

Missouri inmate William Grace, Sr., appeals the district court's¹ adverse grant of summary judgment in his 42 U.S.C. § 1983 action. Upon de novo review of the record, see Roe v. Crawford, 514 F.3d 789, 793 (8th Cir.), cert. denied, 129 S. Ct. 109 (2008), we agree with the district court that summary judgment was warranted.

¹The Honorable Carol E. Jackson, United States District Judge for the Eastern District of Missouri.

Accordingly, we affirm. <u>See</u> 8th Cir. R. 47B. We also deny Grace's motion for appointment of counsel and appellees' motion to dismiss.