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

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	No. 0	8-2	2562
Michael Pickens,		*	
Whender Freezens,		*	
Appellant,		*	
11		*	
v.		*	Appeal from the United States
		*	District Court for the
T. Cody, Ms., CO-II, East Arkansas	S	*	Eastern District of Arkansas.
Regional Unit, ADC; Green, Ms., C	CO,	*	
East Arkansas Regional Unit, ADC;		*	[UNPUBLISHED]
Moses Jackson, Captain, East Arkansas		*	
Regional Unit, ADC; Greg Harmon,		*	
Warden, East Arkansas Regional Unit,		*	
ADC; James Gipson, Disciplinary		*	
Hearing Administrator, Arkansas		*	
Department of Correction; Larry		*	
Norris, Director, Arkansas		*	
Department of Correction,		*	
-		*	
Appellees.		*	
-			
Submi	itted: /	Αn	gust 21 2009

Submitted: August 21, 2009 Filed: August 28, 2009

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Before MURPHY, COLLOTON, and SHEPHERD, Circuit Judges.

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PER CURIAM.

Michael Pickens appeals the district court's preservice dismissal with prejudice of his 42 U.S.C. § 1983 action. Upon de novo review, see Cooper v. Schriro, 189 F.3d 781, 783 (8th Cir. 1999) (per curiam), we conclude that the dismissal was proper for the reasons provided below. Accordingly, we affirm. See 8th Cir. R. 47B.

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<sup>&</sup>lt;sup>1</sup>The Honorable James M. Moody, United States District Judge for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable J. Thomas Ray, United States Magistrate Judge for the Eastern District of Arkansas.