

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

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No. 09-1052

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Henry Webb,

Appellant,

v.

Unknown Gensler, Dr., Medical of  
Douglas County Jail; Douglas County  
Jail, Omaha,

Appellees.

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\* Appeal from the United States  
\* District Court for the  
\* District of Nebraska.  
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\* [UNPUBLISHED]  
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Submitted: November 5, 2009  
Filed: November 10, 2009

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Before MURPHY, COLLOTON, and SHEPHERD, Circuit Judges.

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PER CURIAM.

Henry Webb appeals the district court's<sup>1</sup> dismissal without prejudice of his 42 U.S.C. § 1983 action. Upon de novo review, see Northstar Indus., Inc. v. Merrill Lynch & Co., 576 F.3d 827, 831 (8th Cir. 2009), we agree with the district court that dismissal was proper because Webb failed to state a section 1983 claim. Accordingly, we affirm. See 8th Cir. R. 47B.

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<sup>1</sup>The Honorable Lyle E. Strom, United States District Judge for the District of Nebraska.