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

	No. 09-2	2597
Dale J. Burke,	*	
	*	
Appellant,	*	
	*	Appeal from the United States
v.	*	District Court for the
	*	District of North Dakota.
North Dakota Department of	*	
Corrections and Rehabilitation; Tir	n *	[UNPUBLISHED]
Schuetzle, in his official capacity a	s *	
Warden of North Dakota State	*	
Penitentiary; Pat Branson, in his	*	
official capacity as Deputy Warden	of *	
North Dakota State Penitentiary;	*	
Kathy Bachmeier, in her official	*	
capacity as Medical Director of	*	
North Dakota State Penitentiary; J.	*	
Peterson, in his official capacity as	*	
Correctional Officer at North Dako	ota *	
State Penitentiary; Ron Bjelland, ir	<b>*</b>	
his official capacity as a Lieutenant	t at *	
the North Dakota State Penitentiary	y, *	
	*	
Appellees.		
Submitted: April 2, 2010		

Submitted: April 2, 2010 Filed: April 12, 2010

Before MELLOY, BOWMAN, and SMITH, Circuit Judges.

## PER CURIAM.

Dale J. Burke appeals the district court's¹ adverse grant of summary judgment in his 42 U.S.C. § 1983 action. We dismiss the appeal because Burke's brief completely fails to meet the requirements of Federal Rule of Appellate Procedure 28(a). See Carter v. Lutheran Med. Ctr., 87 F.3d 1025, 1026 (8th Cir. 1996) (per curiam) (dismissing pro se appeal where brief presented no question for court to decide; among other shortfalls, brief did not provide statement of issues presented for review or identify any basis of alleged error by district court); Brown v. Frey, 806 F.2d 801, 804 (8th Cir. 1986) (pro se litigants are not excused from compliance with procedural law); cf. Puckett v. Cook, 864 F.2d 619, 620 n.2 (8th Cir. 1989) (to extent appellant was challenging dismissal of federal claims, he failed to show precisely and with reference to record why findings were clearly wrong, and this court would not search record for error relative to claims). Accordingly, we dismiss the appeal, and we deny Burke's pending motion.

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<sup>&</sup>lt;sup>1</sup>The Honorable Daniel L. Hovland, United States District Judge for the District of North Dakota.