

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

\_\_\_\_\_  
No. 09-3758  
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Jimmie T. McGee-El, \*

Appellant, \*

v. \*

Chandra Hartegan, Caseworker, NECC; \*

Tracy Harrison, Librarian II, NECC; \*

Debra Kelly, Caseworker, NECC; Joel \*

Clover, Corrections Officer I, NECC; \*

James Carter, Functional Unit \*

Manager, NECC; Carrie Taylor, \*

Classification Caseworker Assistant, \*

NECC; Kathy Clifton, Functional \*

Unit Manager, NECC; Michelle \*

Thompson, Grievance Officer II, \*

NECC; Unknown Davis, Corrections \*

Officer II, NECC; Unknown Lambert, \*

Corrections Officer II, NECC; Lori \*

Calvin, Corrections Officer III/ \*

Committee Member, NECC; Dale \*

Lucas, Correctional Case Worker; \*

Chantay Godert, Assistant Warden, \*

NECC; Thomas Dunn, Deputy Warden, \*

NECC; Jim Moore, Warden, NECC; \*

Larry Crawford, Director, Missouri \*

Department of Corrections, \*

Appellees. \*

Appeal from the United States  
District Court for the  
Eastern District of Missouri.

[UNPUBLISHED]

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Submitted: June 18, 2010  
Filed: June 24, 2010

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Before WOLLMAN, COLLOTON, and GRUENDER, Circuit Judges.

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PER CURIAM.

Missouri inmate Jimmie McGee-El (McGee) appeals the district court's<sup>1</sup> dismissal of his 42 U.S.C. § 1983 civil action. After careful de novo review, see Strand v. Diversified Collection Serv., Inc., 380 F.3d 316, 317 (8th Cir. 2004), we conclude that (1) McGee's retaliatory-discipline claims were properly dismissed because there was "some evidence" to find him guilty of violating prison rules, see Henderson v. Baird, 29 F.3d 464, 469 (8th Cir. 1994); (2) his due process challenge to the disciplinary hearing is also meritless, because McGee failed to show that he had a protected liberty interest in avoiding the resulting punishment, see Lomholt v. Holder, 287 F.3d 683, 684 (8th Cir. 2002) (per curiam); Kennedy v. Blankenship, 100 F.3d 640, 642-43 & n.2 (8th Cir. 1996); and (3) the district court was not required to rule on discovery motions before dismissing the complaint, see First Commercial Trust Co. v. Colt's Mfg. Co., 77 F.3d 1081, 1083 n.4 (8th Cir. 1996), or to provide McGee with a list of deficiencies. Finally we do not consider the claims that either have been abandoned or are first raised on appeal.

Accordingly, the judgment is affirmed. See 8th Cir. R. 47B.

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