

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

No. 10-1500

George Gadd,

Appellant,

v.

United States of America; Eric H.
Holder, Jr., Attorney General,
United States Department of
Justice; Michele M. Leonhart,
Acting Administrator, Drug
Enforcement Administration,

Appellees.

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* Appeal from the United States
* District Court for the
* Eastern District of Arkansas.
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* [UNPUBLISHED]
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Submitted: August 30, 2010

Filed: September 3, 2010

Before WOLLMAN, MELLODY, and GRUENDER, Circuit Judges.

PER CURIAM.

George Gadd appeals the district court's¹ adverse grant of summary judgment in his civil action. In his complaint, as subsequently amended, Gadd asserted claims

¹The Honorable Susan Webber Wright, United States District Judge for the Eastern District of Arkansas.

of failure to accommodate a disability, and retaliation, under the Rehabilitation Act of 1973, 29 U.S.C. §§ 701, 791, and 794; failure to maintain records, improper disclosure of medical records, and failure to produce records upon request, under the Right to Privacy Act, 5 U.S.C. § 552a; and failure to produce records, under the Freedom of Information Act (FOIA). On appeal, Gadd argues that the district court erred in granting summary judgment, and he challenges the court's denial of his motions to reconsider and for recusal, and its handling of the record and his discovery-related requests.

After careful de novo review, viewing the evidence and all fair inferences from it in the light most favorable to Gadd, see Buboltz v. Residential Advantages, Inc., 523 F.3d 864, 867-68 (8th Cir. 2008), we conclude that summary judgment was proper. In addition, we conclude that the district court did not abuse its discretion in denying Gadd's motion to reconsider, see Christensen v. Qwest Pension Plan, 462 F.3d 913, 920 (8th Cir. 2006) (standard of review for Fed. R. Civ. P. 59(e) motion); Arnold v. Wood, 238 F.3d 992, 998 (8th Cir. 2001) (standard of review for Fed. R. Civ. P. 60(b) motion), in denying his recusal motion, see Neal v. Wilson, 112 F.3d 351, 357 & n.6 (8th Cir. 1997) (disapproving decision to wait until district judge had issued unfavorable ruling before moving for recusal), in maintaining certain record documents under seal, cf. Meyer Goldberg, Inc. v. Fisher Foods, Inc., 823 F.2d 159, 161 (6th Cir. 1987) (request to lift or modify order sealing documents is left to sound discretion of trial court), or in handling discovery-related matters, see Sheets v. Butera, 389 F.3d 772, 780 (8th Cir. 2004) (review of discovery rulings is very deferential; rulings generally will not be overturned absent gross abuse of discretion resulting in fundamental unfairness).

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