

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

No. 10-1602

Stanton Q. Shelton, *
*
Appellant, *
* Appeal from the United States
v. * District Court for the
* Eastern District of Missouri.
St. Louis City, *
* [UNPUBLISHED]
Appellee. *

Submitted: July 6, 2010
Filed: July 9, 2010

Before WOLLMAN, COLLTON, and GRUENDER, Circuit Judges.

PER CURIAM.

Stanton Shelton, a resident of the St. Louis Psychiatric Rehabilitation Center (SLPRC), appeals the district court's¹ 28 U.S.C. § 1915(e)(2)(B) dismissal without prejudice of his 42 U.S.C. § 1983 false-imprisonment complaint against the City of St. Louis. Upon de novo review, see Moore v. Sims, 200 F.3d 1170, 1171 (8th Cir. 2000) (per curiam), we find no error in the district court's dismissal, see Monell v. Dep't of Soc. Servs., 436 U.S. 658, 694-95 (1978) (local government body may be held liable under § 1983 only if alleged unconstitutional conduct implements official

¹The Honorable Carol E. Jackson, United States District Judge for the Eastern District of Missouri.

policy or custom); Gibson v. Weber, 433 F.3d 642, 647 (8th Cir. 2006) (court has discretion to decline to exercise supplemental jurisdiction over claim if it has dismissed all claims over which it has original jurisdiction); Wray v. Ross, 6 Fed. App'x 544, 545 (8th Cir. 2001) (unpublished per curiam) (person committed to SLPRC cannot attack fact or duration of confinement in § 1983 complaint; remedy in first instance is to apply to state court for release).

Accordingly, we affirm. See 8th Cir. R. 47B.
