United States Court of Appeals FOR THE EIGHTH CIRCUIT

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Friends of Weiner School District,

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Plaintiff - Appellant,

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Department of Agriculture, Involuntary/Third-Party Plaintiff; Weiner School District, Involuntary/Third-Party Plaintiff,

Plaintiffs,

V.

State of Arkansas; Arkansas Department of Emergency Management; David Maxwell, in his official capacity; Arkansas State Board of Education; Naccaman Williams, Dr., in his official capacity; Ben Mays, Dr., in his official capacity; Sherry Burrow, in her official capacity; Jim Cooper, in his official capacity; Brenda Gullet, in her official capacity; Samuel Ledbetter, in his official capacity; Alice Williams Mahony, in her official capacity; Toyce Newton, in her official capacity; Vickie Saviers, in her official capacity; Arkansas Department of Education; Harrisburg School District;

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

[UNPUBLISHED]

Mike Beebe, Governor, in his
official capacity,

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Defendants - Appellees.

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Submitted: November 14, 2011 Filed: December 15, 2011

Before SMITH, BOWMAN, and GRUENDER, Circuit Judges.

PER CURIAM.

Friends of Weiner School District, a non-profit citizens group, appeals from an order of the District Court¹ dismissing their Commerce Clause action that alleged violations of federal and state law by Appellees in connection with the administrative consolidation of the Weiner School District with the Harrisburg School District in Poinsett County, Arkansas. Upon careful de novo review, see LeMay v. U.S. Postal Service, 450 F.3d 797, 799 (8th Cir. 2006), we conclude that dismissal was proper for the reasons stated by the District Court. Accordingly, we affirm. See 8th Cir. R. 47B.

¹The Honorable James M. Moody, United States District Judge for the Eastern District of Arkansas.