

United States Court of Appeals
For the Eighth Circuit

No. 13-1114

Stephen Wayne Carlson

Plaintiff - Appellant

v.

Minnesota Department of Employment and Economic Development;
Commissioner Katie Clark Sieben,¹ in Official Capacity; Governor Mark Dayton,
in Official Capacity

Defendants - Appellees

Appeal from United States District Court
for the District of Minnesota - Minneapolis

Submitted: July 16, 2013

Filed: July 23, 2013

[Unpublished]

Before LOKEN, COLLOTON, and KELLY, Circuit Judges.

PER CURIAM.

¹Katie Clark Sieben has been appointed to serve as Commissioner of the Minnesota Department of Employment and Economic Development, and is substituted as appellee pursuant to Fed. R. App. P. 43(c).

Stephen Carlson brought this action asserting claims under 42 U.S.C. § 1983 against the Minnesota Department of Employment and Economic Development, its Commissioner, and the Governor of Minnesota. He now appeals from the district court's² adverse judgment granting defendants' motion for judgment on the pleadings, denying his motion for injunctive relief, and dismissing the case. Having carefully reviewed the record and considered Carlson's arguments on appeal, we affirm. See Poehl v. Countrywide Home Loans, Inc., 528 F.3d 1093, 1096 (8th Cir. 2008) (de novo review of grant of judgment on the pleadings); Phelps-Roper v. Nixon, 509 F.3d 480, 484 (8th Cir. 2007) (denial of motion for preliminary injunction reviewed for abuse of discretion). We agree with the district court that Carlson's claims are barred by the Eleventh Amendment and the Younger abstention doctrine. See Younger v. Harris, 401 U.S. 37, 44 (1971) (directing federal courts to decline jurisdiction in cases seeking to enjoin ongoing state criminal proceedings); see also, Middlesex Cnty. Ethics Comm. v. Garden State Bar Ass'n, 457 U.S. 423, 435 (1982) (extending Younger to ongoing state civil proceedings).

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

²The Honorable Joan N. Ericksen, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Jeffrey J. Keyes, United States Magistrate Judge for the District of Minnesota.