

United States Court of Appeals
For the Eighth Circuit

No. 13-1828

Mark D. Morgan

Plaintiff - Appellant

v.

Jerry Bartruff; Gail Huckins; Kelli Collins; Kevin Weideman; Pamela Benson;
Clarence Key; Elizabeth Robinson; Karen Muelhaupt; Lawrence James; Richard
Boardwell; Nancy Boyd; Walter Reed, Jr.; Steven Young; Barbara Western; Daren
Jacques; Doris Kelley; Jim Felker; W. Thomas Phillips; Robyn Mills; Arthur Neu;
David Erickson; Michael Sadler; Charles Larson; John Chalstrom; Nancy Turner;
Sheryl Griffith; Johnie Hammond; Michael Coleman, Rev.; John Baldwin; Fred
Scaletta; Jerry Burt; Sheryl Lockwood; Daniel Craig; Greg Ort

Defendants - Appellees

Appeal from United States District Court
for the Southern District of Iowa - Des Moines

Submitted: November 27, 2013

Filed: November 29, 2013

[Unpublished]

Before MURPHY, SMITH, and SHEPHERD, Circuit Judges.

PER CURIAM.

Mark Morgan appeals the district court's¹ adverse judgment in his 42 U.S.C. § 1983 action arising from his present lack of access to sex-offender treatment and current inability to be heard and considered for parole eligibility. Following careful de novo review, see Reynolds v. Dormire, 636 F.3d 976, 979 (8th Cir. 2011), we agree with the district court that Morgan failed to state an equal protection claim, see Patel v. United States Bureau of Prisons, 515 F.3d 807, 815 (8th Cir. 2008), or a due process claim, see Greenholtz v. Inmates of Neb. Penal & Corr. Complex, 442 U.S. 1, 7 (1979); Sandin v. Conner, 515 U.S. 472, 483-84 (1995); Strutton v. Meade, 668 F.3d 549, 557 (8th Cir.), cert. denied, 133 S. Ct. 124 (2012); Callender v. Sioux City Residential Treatment Facility, 88 F.3d 666, 669-70 (8th Cir. 1996); Stewart v. Davies, 954 F.2d 515, 516 (8th Cir. 1992). We also agree that Morgan did not allege that any named defendant was responsible for his lack of access to his minor children.

Accordingly, we affirm the judgment of the district court, and we deny Morgan's motion for appointment of counsel. See 8th Cir. R. 47B.

¹The Honorable James E. Gritzner, Chief Judge, United States District Court for the Southern District of Iowa.