

United States Court of Appeals
For the Eighth Circuit

No. 13-3010

Kevin Terrance Hannon

Plaintiff - Appellant

v.

Kathryn Reid, sued in her individual and official capacity

Defendant - Appellee

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

Submitted: January 31, 2014

Filed: January 31, 2014

[Unpublished]

Before BENTON, BOWMAN, and SHEPHERD, Circuit Judges.

PER CURIAM.

Kevin Terrance Hannon appeals the district court's¹ dismissal with prejudice of his 42 U.S.C. § 1983 complaint as a sanction for his failure to comply with

¹The Honorable Patrick J. Schiltz, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Arthur J. Boylan, United States Magistrate Judge for the District of Minnesota.

discovery orders, pursuant to Fed. R. Civ. P. 37(b)(2)(A). After carefully reviewing the record, the parties' briefs, and the applicable law, this court holds that the district court did not clearly err when it found that Hannon willfully violated the discovery orders, thereby prejudicing the defendant, and did not abuse its discretion when it imposed the sanction of dismissal. *See Keefer v. Provident Life & Accident Ins. Co.*, 238 F.3d 937, 940-41 (8th Cir. 2000) (dismissal with prejudice may be imposed only if plaintiff willfully violated discovery order and prejudiced defendant; appellate court reviews district court's discovery sanctions for abuse of discretion and closely scrutinizes sanction of dismissal); *Rodgers v. Curators of the Univ. of Mo.*, 135 F.3d 1216, 1219-20 (8th Cir. 1998) (district court's determination that party willfully disregarded court orders is factual finding reviewed for clear error).

Hannon also filed an appellate motion for a protective order, which is denied.

The judgment of the district court is affirmed. *See* 8th Cir. R. 47B.
