

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 13-3412

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James Irving Dale

*Plaintiff - Appellant*

v.

Joel L. Brott; Brian Frank; Angela Knutson; Dave Isias; Lisa Kachmarek; Bill  
(William) Hilden; Unknown Correctional Officer

*Defendants - Appellees*

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

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Submitted: June 19, 2014  
Filed: June 24, 2014  
[Unpublished]

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Before BYE, COLLOTON, and BENTON, Circuit Judges.

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PER CURIAM.

Inmate James Irving Dale appeals the district court's<sup>1</sup> adverse grant of summary judgment in his 42 U.S.C. § 1983 action, in which his claims arose from allegations that, among other things, he was denied access to case law and was subjected to retaliatory discipline. Upon de novo review, see McKenney v. Harrison, 635 F.3 354, 358 (8th Cir. 2011), and careful consideration of Dale's arguments for reversal,<sup>2</sup> we affirm the judgment of the district court. See 8th Cir. R. 47B. We also deny Dale's motion to exclude appellees' brief.

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<sup>1</sup>The Honorable Patrick J. Schiltz, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Janie S. Mayeron, United Magistrate Judge for the District of Minnesota.

<sup>2</sup>We decline to consider issues that Dale either raises for the first time on appeal, or has abandoned on appeal by failing to discuss them in his brief.