

United States Court of Appeals
For the Eighth Circuit

No. 15-1590

Samar Akins

Plaintiff - Appellant

v.

Barb Albers; Gretchin Eurie; Kimberly Taylor Riley; Lynn Quenzer; Liz Everly;
Joe Kelly

Defendants - Appellees

Appeal from United States District Court
for the District of Nebraska - Lincoln

Submitted: August 14, 2015

Filed: August 18, 2015

[Unpublished]

Before WOLLMAN, SMITH, and BENTON, Circuit Judges.

PER CURIAM.

Samar Akins appeals the district court's¹ preservice dismissal of his pro se complaint alleging housing discrimination. Having jurisdiction under 28 U.S.C. § 1291, this court affirms.

In an initial 28 U.S.C. § 1915(e)(2)(B) screening order, the district court concluded that Akins's complaint failed to state a plausible claim, and the court afforded him thirty days to file an amended complaint, specifically warning him that failure to do so within the time allowed would result in dismissal without further notice. After Akins did not timely file an amended complaint, the district court dismissed the action without prejudice on grounds that Akins had failed to prosecute his claims diligently and had failed to comply with the court's earlier order. Upon careful review, this court concludes that the dismissal was proper. *See* Fed. R. Civ. P. 41(b); *Brown v. Frey*, 806 F.2d 801, 803 (8th Cir. 1986); *see also Smith v. Gold Dust Casino*, 526 F.3d 402, 404-05 (8th Cir. 2008); *Schooley v. Kennedy*, 712 F.2d 372, 374 (8th Cir. 1983) (per curiam).

The judgment is affirmed. *See* 8th Cir. R. 47B.

¹The Honorable John M. Gerrard, United States District Court for the District of Nebraska.