

United States Court of Appeals
For the Eighth Circuit

No. 15-1603

Stephen Wayne Carlson

Plaintiff - Appellant

v.

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

Defendants - Appellees

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

Submitted: October 15, 2015
Filed: December 9, 2015
[Unpublished]

Before LOKEN, COLLOTON, and KELLY, Circuit Judges.

PER CURIAM.

Stephen Carlson brought this action asserting claims under 42 U.S.C. § 1983. In earlier proceedings, the district court¹ dismissed the action, and this court affirmed. Thereafter, the Supreme Court granted Carlson’s petition for a writ of certiorari and directed reconsideration in light of an intervening decision that the Court had rendered. This court then remanded the case to the district court. On remand, the district court dismissed the action on narrower grounds, and Carlson now appeals that dismissal, as well as the district court’s denial of a post-judgment motion.

Having carefully reviewed the record and considered Carlson’s arguments on appeal, we conclude that the district court properly dismissed the action based on the doctrine of res judicata. See Yankton Sioux Tribe v. U.S. Dep’t of Health and Human Servs., 533 F.3d 634, 639 (8th Cir. 2008) (de novo review of dismissal on grounds of res judicata). Further, we conclude that the district court did not abuse its discretion in denying Carlson’s post-judgment motion. See United States v. Metro. St. Louis Sewer Dist., 440 F.3d 930, 933 (8th Cir. 2006) (abuse-of-discretion review of denial of Fed. R. Civ. P. 59(e) motion); Arnold v. Wood, 238 F.3d 992, 998 (8th Cir. 2001) (abuse-of-discretion review of denial of Fed. R. Civ. P. 60(b) motion).

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

¹The 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.