

United States Court of Appeals
For the Eighth Circuit

No. 15-1605

Lori Irish

Plaintiff - Appellant

v.

United States Department of Justice; Federal Bureau of Prisons; Officer Pena;
Lieutenant Duncan; Lieutenant Omelson; Unknown Federal Bureau of Prison
Employees; Officer G. Duffy

Defendants - Appellees

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

Submitted: January 27, 2016
Filed: February 9, 2016
[Unpublished]

Before LOKEN, MURPHY, and BYE, Circuit Judges.

PER CURIAM.

Former federal inmate Lori Irish appeals following the district court's¹ adverse grant of summary judgment in her action under Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971), and the Federal Tort Claims Act. Irish's primary challenge on appeal is to the magistrate judge's orders on nondispositive matters, but because she did not seek review by the district court, this court lacks jurisdiction to consider her challenge. See Daley v. Marriott Int'l, Inc., 415 F.3d 889, 893 n.9 (8th Cir. 2005) (where parties do not consent to final disposition by magistrate judge, this court lacks jurisdiction to hear direct appeal of magistrate judge's order on nondispositive pretrial matter). As to the claims that Irish has properly put before us with adequate briefing, see Hess v. Ables, 714 F.3d 1048, 1051 n.2 (8th Cir. 2013) (claim is waived where there is no briefing as to why dismissal was improper), we have conducted the requisite de novo review, see Holt v. Howard, 806 F.3d 1129, 1132 (8th Cir. 2015), and carefully considered Irish's arguments, and we find no basis for reversal. The judgment of the district court is affirmed. See 8th Cir. R. 47B.

¹The Honorable Michael J. Davis, 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.