

United States Court of Appeals
For the Eighth Circuit

No. 15-1800

Archie Bear

Plaintiff - Appellant

Duane Yates; Alex Tejeda; Tahjah Shepard; Michael Ferguson

Plaintiffs

v.

Tracy Dietsch; John Fayram; John Baldwin; Cindy Wolmutt; Richard Jenkins;
Sheryl Dahm; Stephen Salviati

Defendants - Appellees

Thomas Miller, Iowa Attorney General; All Other Similarly Situated Individuals,
within the Iowa Department of Corrections

Defendants

Appeal from United States District Court
for the Northern District of Iowa - Cedar Rapids

Submitted: January 22, 2016
Filed: January 26, 2016
[Unpublished]

Before WOLLMAN, ARNOLD, and SMITH, Circuit Judges.

PER CURIAM.

Iowa inmate Archie Bear appeals the district court's¹ adverse grant of summary judgment on his 42 U.S.C. § 1983 complaint. On appeal, he maintains that Iowa officials--by enforcing a policy that affected inmate access to religious services--violated his free exercise and equal protection rights, and violated a state statute.

Regarding the free exercise claim, we note that Mr. Bear's complaint did not specify his faith, his beliefs under his faith, or how the policy in question conflicted with his beliefs. Regarding his equal protection claim, we note that there was no evidence in the record indicating that differences in treatment were motivated by intentional or purposeful discrimination. Thus, upon careful de novo review, we conclude that summary judgment was properly granted. See Brooks v. Roy, 776 F.3d 957, 960 (8th Cir. 2015) (discussing free exercise claims); Patel v. U.S. Bur. of Prisons, 515 F.3d 807, 815-16 (8th Cir. 2008) (discussing equal protection claims); Weir v. Nix, 114 F.3d 817, 821 n.7 (8th Cir. 1997) (violation of state statute, without more, is insufficient to establish § 1983 claim); see also Fullington v. Pfizer, Inc., 720 F.3d 739, 747 (8th Cir. 2013) (court of appeals may affirm for any reason supported by record). Accordingly, we affirm. See 8th Cir. R. 47B.

¹The Honorable Edward J. McManus, United States District Judge for the Northern District of Iowa.