

United States Court of Appeals  
For the Eighth Circuit

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No. 15-2931

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Clyde E. Harper

*Plaintiff - Appellant*

v.

Judge Coffey; Prosecutor Retelsdorf, of Douglas County

*Defendants - Appellees*

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

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Submitted: March 7, 2016

Filed: March 9, 2016  
[Unpublished]

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Before BENTON, BOWMAN, and KELLY, Circuit Judges.

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PER CURIAM.

Clyde E. Harper appeals the district court's<sup>1</sup> dismissal of his 42 U.S.C. § 1983 complaint seeking postconviction access to DNA testing of certain evidence used at his state criminal trial. Having jurisdiction under 28 U.S.C. § 1291, this court affirms.

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<sup>1</sup>The Honorable John M. Gerrard, United States District Judge for the District of Nebraska.

After carefully reviewing the record and Harper's brief, this court finds no error warranting reversal. *See Dist. Attorney's Office for Third Judicial Dist. v. Osborne*, 557 U.S. 52, 69, 72-75 (2009) (discussing contours of substantive and procedural due process rights related to postconviction access to DNA testing).

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

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