

United States Court of Appeals
For the Eighth Circuit

No. 15-3543

Jerry Todd Brewer

Plaintiff - Appellant

v.

Jonesboro Police Department; Craighead County Jail; Jeremy Wheelis, Police Officer, Jonesboro Police Department

Defendants - Appellees

Appeal from United States District Court
for the Eastern District of Arkansas - Jonesboro

Submitted: May 27, 2016
Filed: June 2, 2016
[Unpublished]

Before MURPHY, BOWMAN, and BENTON, Circuit Judges.

PER CURIAM.

Jerry Todd Brewer appeals the district court's¹ adverse judgment entered after a bench trial in his 42 U.S.C. § 1983 action. We conclude that Brewer's challenge to the district court's findings of fact are not susceptible to meaningful review because he failed to provide a transcript of the trial proceedings. See Fed. R. App. P. 10(b) (addressing appellant's obligations with respect to transcript); Schmid v. United Bhd. of Carpenters & Joiners of Am., 827 F.2d 384, 386 (8th Cir. 1987) (per curiam) (where pro se appellant did not order trial transcript, appellate court could not review challenges to evidentiary rulings or to sufficiency of evidence). We further conclude that the district court did not abuse its discretion in denying appointed counsel, see Phillips v. Jasper Cty. Jail, 437 F.3d 791, 794-95 (8th Cir. 2006) (standard of review), or in denying Brewer's post-trial motion, cf. Fed. R. Civ. P. 59(a)(2); Parton v. White, 203 F.3d 552, 556 (8th Cir. 2000) (per curiam) (standard of review); and that his request for a jury trial was untimely, see Fed. R. Civ. P. 38(b). Accordingly, we affirm the judgment of the district court. See 8th Cir. R. 47B.

¹The Honorable Brian S. Miller, Chief Judge, United States District Court for the Eastern District of Arkansas.