

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 16-2733

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Felix Allen Arp,

*Plaintiff - Appellant,*

v.

Cerro Gordo County Sheriff,

*Defendant,*

Matt Dale Klunder,

*Defendant - Appellee.*

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Appeal from United States District Court  
for the Northern District of Iowa - Ft. Dodge

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Submitted: October 28, 2016

Filed: November 2, 2016

[Unpublished]

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Before MURPHY, ARNOLD, and COLLOTON, Circuit Judges.

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PER CURIAM.

Felix Arp appeals after the district court<sup>1</sup> dismissed his pro se 42 U.S.C. § 1983 complaint. We grant leave to proceed in forma pauperis on appeal. Upon careful review, we find no reason to reverse the dismissal order because Arp failed to specify the capacity in which the defendant was sued despite warnings from the district court. Therefore, the court interprets the complaint as asserting only official-capacity claims, which are barred by Eleventh Amendment. *See Baker v. Chisom*, 501 F.3d 920, 923, 925 (8th Cir. 2007); *Alabama v. Pugh*, 438 U.S. 781, 782 (1978). Accordingly, the judgment of the district court is affirmed. *See* 8th Cir. R. 47B.

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<sup>1</sup>The Honorable Leonard T. Strand, United States District Judge for the Northern District of Iowa.