

United States Court of Appeals
For the Eighth Circuit

No. 17-2099

Reginald Robinson,

Plaintiff - Appellant,

v.

Pulaski Technical College,

Defendant - Appellee.

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

Submitted: October 11, 2017

Filed: October 17, 2017

[Unpublished]

Before COLLOTON, BOWMAN, and KELLY, Circuit Judges.

PER CURIAM.

Reginald Robinson appeals the district court's¹ preservice dismissal, without prejudice, of his pro se complaint. He also moves to supplement the record on appeal.

¹The Honorable D.P. Marshall Jr., United States District Judge for the Eastern District of Arkansas.

Upon de novo review, we conclude that the district court properly dismissed Robinson's complaint for lack of subject matter jurisdiction. *See Laclede Gas Co. v. St. Charles Cnty., Mo.*, 713 F.3d 413, 417 (8th Cir. 2013) (standard of review); *see also* Fed. R. Civ. P. 12(h)(3) (dismissal for lack of subject matter jurisdiction). Robinson did not assert a valid basis for federal question jurisdiction because he relied on federal criminal statutes only, and because the complaint revealed a lack of diversity. *See* 28 U.S.C. § 1331 (requirements for federal question jurisdiction); *Linda R.S. v. Richard D.*, 410 U.S. 614, 619 (1973) (private citizen lacks judicially cognizable interest in prosecution of another); *see also* 28 U.S.C. § 1332 (requirements for diversity jurisdiction); *Ryan v. Schneider Nat'l Carriers, Inc.*, 263 F.3d 816, 819 (8th Cir. 2001) (discussing diversity of citizenship). We also conclude that the material proffered with Robinson's motion to supplement the record would not have affected the outcome.

Accordingly, the judgment is affirmed, *see* 8th Cir. R. 47B, and Robinson's motion to supplement the record is denied as moot.
