

United States Court of Appeals
For the Eighth Circuit

No. 17-2438

Raphael Mendez

Plaintiff - Appellant

v.

FMC Minnesota; Lt. Holbus, (SHU); Officer Kepp; Eberle, Reporting Employee;
A. Culberbon, Report Delivering Person; Any Other Unknown Individuals such as
the Property R and D Operation

Defendants - Appellees

Appeal from United States District Court
for the District of Minnesota

Submitted: June 7, 2018
Filed: June 26, 2018
[Unpublished]

Before SHEPHERD, KELLY, and GRASZ, Circuit Judges.

PER CURIAM.

Federal civil detainee Raphael Mendez appeals the district court's¹ adverse grant of summary judgment in his pro se action brought under *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971). Having jurisdiction under 28 U.S.C. § 1291, we affirm.

After careful review of the record and the parties' arguments on appeal, we conclude, for the reasons stated in the magistrate judge's Report and Recommendation, that Mendez's claims failed as a matter of law. *See Odom v. Kaizer*, 864 F.3d 920, 921 (8th Cir. 2017) (grant of summary judgment is reviewed de novo; summary judgment is proper when there is no genuine issue of material fact and party is entitled to judgment as a matter of law; evidence is viewed, and all reasonable inferences are drawn, in favor of nonmoving party).

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

¹The Honorable Ann D. Montgomery, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Becky R. Thorson, United States Magistrate Judge for the District of Minnesota.