

United States Court of Appeals
For the Eighth Circuit

No. 18-1849

Rudy Stanko, also known as “Butch,”

Plaintiff - Appellant,

v.

South Dakota Highway Patrol; Highway Patrolman Kevin Moser, individually and in his official capacity; Ryan Talley, individually; Monte Droppers, individually and in his official capacity; Defendants 1X through 3X, individually, will be named after discovery,

Defendants - Appellees.

Appeal from United States District Court
for the District of South Dakota - Rapid City

Submitted: January 17, 2019

Filed: January 28, 2019

[Unpublished]

Before COLLTON, SHEPHERD, and KOBES, Circuit Judges.

PER CURIAM.

Rudy Stanko appeals the district court's¹ dismissal of his civil rights action under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). Upon de novo review of the record and the parties' submissions on appeal, we conclude dismissal was proper. We therefore affirm the judgment. *See* 8th Cir. R. 47B.

¹The Honorable Jeffrey L. Viken, Chief Judge, United States District Court for the District of South Dakota.