

United States Court of Appeals
For the Eighth Circuit

No. 18-2235

Lena Lasher

Plaintiff - Appellant

v.

Nebraska State Board of Pharmacy, (NE BOP) State of Nebraska, Lincoln,
Nebraska 68508; Thomas L. Williams, MD, Chief Medical Officer Director,
Division of Public Health State of Nebraska Department of Health and Human
Services Lincoln, Nebraska 68508

Defendants - Appellees

Appeal from United States District Court
for the District of Nebraska - Lincoln

Submitted: January 11, 2019

Filed: January 31, 2019

[Unpublished]

Before COLLOTON, SHEPHERD, and KOBES, Circuit Judges.

PER CURIAM.

Lena Lasher appeals the district court's¹ preservice dismissal of her pro se 42 U.S.C. § 1983 complaint alleging her constitutional rights were violated in a Nebraska State Board of Pharmacy disciplinary proceeding. Upon de novo review of the record, we agree with the district court that Lasher's complaint did not state any viable claims. See Moore v. Sims, 200 F.3d 1170, 1171 (8th Cir. 2000) (per curiam) (de novo review of 28 U.S.C. § 1915(e)(2)(B) preservice dismissal); Cooper v. Schriro, 189 F.3d 781, 783 (8th Cir. 1999) (per curiam) (de novo review of 28 U.S.C. § 1915A preservice dismissal). We also conclude that the district court did not violate Lasher's rights by dismissing her complaint preservice or by not sua sponte granting her leave to amend her complaint. See Christiansen v. Clarke, 147 F.3d 655, 657-59 (8th Cir. 1998) (rejecting argument that § 1915(e)(2)(B)(ii) is unconstitutional because it authorizes preservice dismissal of indigent prisoners' claims without leave to amend). Accordingly, we affirm. See 8th Cir. R. 47B.

¹The Honorable Richard G. Kopf, United States District Judge for the District of Nebraska.