

United States Court of Appeals  
For the Eighth Circuit

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No. 18-2420

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Larry Dean Bell, Sr.

*Plaintiff - Appellant*

v.

Dennis Conard, Sheriff; Stepheny Burnett, Lt.; Devon Welch, Correctional Officer;  
Murphy, Correctional Officer; Piper, Correctional Officer; E. Weatherwax,  
Correctional Officer; S. Meier, Correctional Officer; Keil, Correctional Officer;  
Briggs, Correctional Officer

*Defendants - Appellees*

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Appeal from United States District Court  
for the Southern District of Iowa - Des Moines

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Submitted: January 14, 2019

Filed: January 30, 2019

[Unpublished]

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Before BENTON, BOWMAN, and STRAS, Circuit Judges.

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PER CURIAM.

Iowa inmate Larry Bell filed a lawsuit seeking damages and other relief against various prison officials for what he claims is an invasion of his privacy. *See* 42 U.S.C.

§ 1983. The district court<sup>1</sup> granted Bell’s motion to proceed in forma pauperis and dismissed the case.

We review the district court’s dismissal de novo. *Cooper v. Schriro*, 189 F.3d 781, 783 (8th Cir. 1999) (per curiam). The court correctly determined that prison officials did not violate a clearly established constitutional right by allowing female guards to monitor Bell through surveillance cameras. *See Timm v. Gunter*, 917 F.2d 1093, 1102 (8th Cir. 1990) (holding “that opposite-sex surveillance of male inmates, performed on the same basis as same-sex surveillance,” is not constitutionally impermissible). Nor was he entitled to have his conviction overturned, as he has requested, because this relief is only available by filing a petition for a writ of habeas corpus. *See Preiser v. Rodriguez*, 411 U.S. 475, 500 (1973). Finally, Bell raises several new arguments that we will not consider for the first time on appeal. *See Stone v. Harry*, 364 F.3d 912, 914–15 (8th Cir. 2004) (stating that arguments “may not be advanced for the first time on appeal”).

The judgment of the district court is affirmed. *See* 8th Cir. R. 47B.

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<sup>1</sup>The Honorable Rebecca Ebinger, United States District Judge for the Southern District of Iowa.