

United States Court of Appeals
For the Eighth Circuit

No. 18-2637

Frank Thunder Hawk-Gallardo

Plaintiff - Appellant

v.

Sergeant Jeremy Wendling

Defendant - Appellee

Appeal from United States District Court
for the District of South Dakota - Sioux Falls

Submitted: March 8, 2019

Filed: March 13, 2019

[Unpublished]

Before ERICKSON, WOLLMAN, and KOBES, Circuit Judges.

PER CURIAM.

In this 42 U.S.C. § 1983 action, federal inmate Frank Thunder-Hawk Gallardo appeals following the district court's¹ adverse grant of summary judgment. Upon de

¹The Honorable Karen E. Schreier, United States District Judge for the District of South Dakota, adopting the report and recommendations of the Honorable Veronica L. Duffy, United States Magistrate Judge for the District of South Dakota.

novo review, see Cullor v. Baldwin, 830 F.3d 830, 836 (8th Cir. 2016) (summary judgment standard of review); Moore v. Sims, 200 F.3d 1170, 1171 (8th Cir. 2000) (per curiam) (standard of review for dismissal under 28 U.S.C. § 1915(e)(2)(B)), we find no merit to Gallardo's arguments for reversal.² The judgment is affirmed. See 8th Cir. R. 47B.

²The matters Gallardo raises for the first time in this court have not been considered. See Stone v. Harry, 364 F.3d 912, 914-15 (8th Cir. 2004) (declining to consider pro se appellant's new allegations and arguments).