

United States Court of Appeals
For the Eighth Circuit

No. 21-1206

C.P.X., through his next of friend S.P.X., for themselves and those similarly situated; K.N.X., through his next friend Rachel Antonuccio, for themselves and those similarly situated,

Plaintiffs - Appellees,

v.

Kelly Kennedy Garcia, in her official capacity as Director of the Iowa Department of Human Services; Cory Turner, in his official capacity as Administrator, Division of Mental Health and Disabilities Services - Facilities; Jason Soddors, in his official capacity as Interim Superintendent of the Boys State Training School,¹

Defendants - Appellants.

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

Submitted: August 23, 2021

Filed: December 15, 2021

[Unpublished]

Before LOKEN, COLLOTON, and STRAS, Circuit Judges.

¹Interim Superintendent Soddors is automatically substituted for his predecessor under Federal Rule of Appellate Procedure 43(c)(2).

PER CURIAM.

Defendants appeal an order of the district court² granting in part plaintiffs' request for attorney's fees and expenses under 42 U.S.C. §§ 1988 and 1997e(d). We conclude that the district court did not abuse its discretion in its award of attorney's fees and expenses. *See* 42 U.S.C. § 1988; *Loggins v. Delo*, 999 F.2d 364, 368 (8th Cir. 1993) (standard of review). Accordingly, we affirm, *see* 8th Cir. R. 47B, and we deny the pending appellate motion as unnecessary.

Judge Loken dissents.

²The Honorable Stephanie M. Rose, United States District Judge for the Southern District of Iowa.