

United States Court of Appeals
For the Eighth Circuit

No. 21-1247

Kevin G. Smith

Plaintiff - Appellant

v.

Rick Eberhardt, Pierce County Sheriff; Jason Dwinell, Wayne County Sheriff;
County Deputy's

Defendants - Appellees

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

Submitted: May 3, 2021
Filed: May 6, 2021
[Unpublished]

Before SHEPHERD, GRASZ, and KOBES, Circuit Judges.

PER CURIAM.

Kevin Smith appeals the district court's¹ pre-service dismissal of his 42 U.S.C. § 1983 action for failure to prosecute and failure to comply with an order of the court. After careful review of the record and Smith's arguments on appeal, we find no basis for reversal. *See Smith v. Gold Dust Casino*, 526 F.3d 402, 404 (8th Cir. 2008) (standard of review). Accordingly, we affirm. *See* 8th Cir. R. 47B.

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