

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 00-4012

John Dee Steward,

Appellant,

v.

Lewis, Guard, Jackson County Jail;
Hawkins, Correctional Officer; Stewart,
Correctional Officer; James, Dr.; C.O.,

Appellees.

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Appeal from the United States
District Court for the
Western District of Missouri.

[UNPUBLISHED]

Submitted: April 12, 2001
Filed: April 26, 2001

Before BYE, RICHARD S. ARNOLD, and BEAM, Circuit Judges.

PER CURIAM.

John Dee Steward appeals the district court's¹ grant of summary judgment to jail personnel in his 42 U.S.C. § 1983 action. We grant Steward leave to appeal in forma pauperis (IFP), assess the filing fee according to the provisions of the Prison Litigation Reform Act (PLRA), and leave the collection details to the district court. After carefully reviewing the record and Steward's submission on appeal, we affirm, see 8th

¹The Honorable Fernando J. Gaitan, Jr., United States District Judge for the Western District of Missouri.

Cir. R. 47A(a), but we modify the district court's order to reflect that the disposition will not count against Steward under the PLRA's three-strike provision, see 28 U.S.C. § 1915(g) (prohibiting prisoner from proceeding IFP if he has three or more times in past brought civil action that was dismissed because it was frivolous, malicious, or failed to state claim).

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.