

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 10-3640

Derrick Dewayne Johnson,

Appellant,

v.

Richard Jackson, Deputy, Pulaski
County Jail (originally sued as
R. Jackson),

Appellee.

*
*
*
*
*
*
*
*
*
*

Appeal from the United States
District Court for the
Eastern District of Arkansas.

[UNPUBLISHED]

Submitted: March 25, 2011
Filed: March 30, 2011

Before WOLLMAN, BOWMAN, and SMITH, Circuit Judges.

PER CURIAM.

Derrick Johnson appeals the district court's¹ dismissal, following an evidentiary hearing, of his 42 U.S.C. § 1983 action in which he claimed that defendant used excessive force against him in violation of the Eighth Amendment.

¹The Honorable J. Leon Holmes, Chief Judge, United States District Court for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable H. David Young, United States Magistrate Judge for the Eastern District of Arkansas.

Following careful review, we conclude that no Eighth Amendment violation occurred for the reasons stated by the district court. See Jones v. Shields, 207 F.3d 491, 495 (8th Cir. 2000) (in excessive-force claim, core inquiry is whether force was applied in good faith effort to maintain or restore discipline, or maliciously or sadistically to cause harm); Choate v. Lockhart, 7 F.3d 1370, 1373 & n.1 (8th Cir. 1993) (standard of review). Accordingly, the judgment is affirmed. See 8th Cir. R. 47B.
