

United States Court of Appeals
For the Eighth Circuit

No. 17-2045

Derrick Lamont Booth

Plaintiff - Appellant

v.

P. Smith, Sergeant, Delta Regional Unit; Joe Page, III, Warden, Delta Regional Unit; Jhonnie Harris, Sergeant/Disciplinary Notification Officer, Delta Regional Unit

Defendants - Appellees

Appeal from United States District Court
for the Eastern District of Arkansas - Pine Bluff

Submitted: April 23, 2018
Filed: April 23, 2018
[Unpublished]

Before GRUENDER, BENTON, and STRAS, Circuit Judges.

PER CURIAM.

Derrick Lamont Booth, a former Arkansas inmate, appeals the district court's¹ dismissal of his 42 U.S.C. § 1983 action for failure to state a claim. Having jurisdiction under 28 U.S.C. § 1291, this court affirms.

After de novo review of the record and the parties' arguments on appeal, this court finds no basis for reversal. *See Kelly v. City of Omaha*, 813 F.3d 1070, 1075 (8th Cir. 2016) (grant of motion to dismiss for failure to state claim under Rule 12(b)(6) is reviewed de novo); *Moore v. Sims*, 200 F.3d 1170, 1171 (8th Cir. 2000) (per curiam) (pre-service dismissals are reviewed de novo).

The judgment of the district court is affirmed. *See* 8th Cir. R. 47B.

¹The Honorable James M. Moody, Jr., United States District Judge for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable Beth M. Deere, United States Magistrate Judge for the Eastern District of Arkansas.