

United States Court of Appeals
For the Eighth Circuit

No. 17-2280

Derrick Wayne Walker

Plaintiff - Appellant

v.

Tyson Foods Inc

Defendant - Appellee

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

Submitted: May 9, 2018

Filed: May 24, 2018

[Unpublished]

Before SHEPHERD, KELLY, and GRASZ, Circuit Judges.

PER CURIAM.

Derrick Walker appeals after the district court¹ adversely granted a motion to dismiss his complaint as untimely or in the alternative for summary judgment on the

¹The Honorable J. Leon Holmes, United States District Judge for the Eastern District of Arkansas.

merits. Having carefully reviewed the record and the parties' arguments on appeal, we conclude that the district court did not err in its decision. See 42 U.S.C. § 2000e-5(f)(1) (suit filed under Title VII must be brought within ninety days after receipt of right-to-sue letter from Equal Employment Opportunity Commission); Hill v. John Chezik Imps., 869 F.2d 1122, 1123-24 (8th Cir. 1989) (discussing equitable tolling); see also Torgerson v. City of Rochester, 643 F.3d 1031, 1042 (8th Cir. 2011) (en banc) (standard of review for summary judgment decisions). We also conclude that the district court did not abuse its discretion in denying Walker appointed counsel. See Phillips v. Jasper Cty. Jail, 437 F.3d 791, 794 (8th Cir. 2006) (standard of review; there is no constitutional or statutory right to appointed counsel in civil cases). Accordingly, the judgment is affirmed. See 8th Cir. R. 47B.
