

United States Court of Appeals
For the Eighth Circuit

No. 17-3469

David H. Jacob,

Plaintiff - Appellant,

v.

Rosalyn Cotton, Chairperson of the Nebraska Board of Parole; Rex Richard,
Member of the Nebraska Board of Parole; Randall L. Rehmeier, Member of the
Nebraska Board of Parole; Teresa L. Bittinger, Member of the Nebraska Board of
Parole; Virgil J. Patlan, Member of the Nebraska Board of Parole,

Defendants - Appellees.

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

Submitted: May 22, 2018
Filed: May 24, 2018
[Unpublished]

Before LOKEN, COLLOTON, and ERICKSON, Circuit Judges.

PER CURIAM.

David Jacob appeals the district court's¹ preservice dismissal of his complaint under 42 U.S.C. § 1983. On de novo review, we conclude that Jacob's claims are precluded by his previous unsuccessful state declaratory action. *See Hara v. Reichert*, 843 N.W.2d 812, 816-17 (Neb. 2014). Likewise, we conclude the district court did not abuse its discretion in denying Jacob's motion under Federal Rule of Civil Procedure 59(e). *See United States v. Metro. St. Louis Sewer Dist.*, 440 F.3d 930, 933 (8th Cir. 2006). Accordingly, we affirm. *See* 8th Cir. R. 47B.

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