

United States Court of Appeals
For the Eighth Circuit

No. 17-2649

Deverick Scott

Plaintiff - Appellant

v.

Wendy Kelley, Director, Arkansas Department of Correction (originally named as Wendy Kelly); Grant Harris, Assistant Director, Arkansas Department of Correction; Danny Burl, Warden, Tucker Unit, ADC; Outlaw, Assistant Warden, Tucker Max Unit, ADC; Weekly, Assistant Warden, Tucker Max Unit, ADC; Williams, Major, Tucker Max Unit, ADC; Strout, Major, Tucker Max Unit, ADC; Simmons, Mrs., Law Librarian, Tucker Max Unit, ADC; Montgomery, Sergeant, Tucker Max Unit, ADC; Kennedy, Sergeant, Tucker Max Unit, ADC; Morris, Sergeant, Tucker Max Unit, ADC; Savage/Green, Sergeant, Tucker Max Unit, ADC; Riddick/White, Sergeant, Tucker Max Unit, ADC; Cloird, Corporal, Tucker Max Unit, ADC; Brown, Sergeant, Varner Unit, ADC; Sorrell, Sergeant, Varner Unit, ADC; Williams, Sergeant, Varner Unit, ADC; John Doe, Corporal, Tucker Max Unit, ADC; Arkansas Department of Correction; Tucker Maximum Security Unit, Arkansas Department of Correction

Defendants - Appellees

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

Submitted: June 7, 2018
Filed: June 8, 2018
[Unpublished]

Before LOKEN, COLLOTON, and ERICKSON, Circuit Judges.

PER CURIAM.

Deverick Scott appeals the district court's¹ dismissal of some claims, and the adverse grant of summary judgment as to other claims, in his pro se 42 U.S.C. § 1983 action, in which he alleged that defendants denied him access to the courts, retaliated against him, and lost or destroyed his property while he was housed in punitive segregation. Having reviewed the record and the parties' arguments on appeal, we conclude that dismissal and summary judgment were properly granted for the reasons stated in the district court's orders. See Adams v. Am. Family Mut. Ins. Co., 813 F.3d 1151, 1154 (8th Cir. 2016) (de novo review of grant of motion to dismiss); Peterson v. Kopp, 754 F.3d 594, 598 (8th Cir. 2014) (de novo review of grant of summary judgment). We also conclude that the court did not abuse its discretion in declining to exercise supplemental jurisdiction over the state-law tort claims, although we clarify that the dismissal of those claims is without prejudice. See 28 U.S.C. § 1367; Franklin v. Zain, 152 F.3d 783, 786 (8th Cir. 1998).

Accordingly, the judgment is affirmed. See 8th Cir. R. 47B.

¹The Honorable D.P. Marshall, Jr., United States District Judge for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable Jerome T. Kearney, United States Magistrate Judge for the Eastern District of Arkansas.