

United States Court of Appeals
For the Eighth Circuit

No. 18-2420

Larry Dean Bell, Sr.

Plaintiff - Appellant

v.

Dennis Conard, Sheriff; Stepheny Burnett, Lt.; Devon Welch, Correctional Officer;
Murphy, Correctional Officer; Piper, Correctional Officer; E. Weatherwax,
Correctional Officer; S. Meier, Correctional Officer; Keil, Correctional Officer;
Briggs, Correctional Officer

Defendants - Appellees

Appeal from United States District Court
for the Southern District of Iowa - Des Moines

Submitted: January 14, 2019

Filed: January 30, 2019

[Unpublished]

Before BENTON, BOWMAN, and STRAS, Circuit Judges.

PER CURIAM.

Iowa inmate Larry Bell filed a lawsuit seeking damages and other relief against various prison officials for what he claims is an invasion of his privacy. *See* 42 U.S.C.

§ 1983. The district court¹ granted Bell’s motion to proceed in forma pauperis and dismissed the case.

We review the district court’s dismissal de novo. *Cooper v. Schriro*, 189 F.3d 781, 783 (8th Cir. 1999) (per curiam). The court correctly determined that prison officials did not violate a clearly established constitutional right by allowing female guards to monitor Bell through surveillance cameras. See *Timm v. Gunter*, 917 F.2d 1093, 1102 (8th Cir. 1990) (holding “that opposite-sex surveillance of male inmates, performed on the same basis as same-sex surveillance,” is not constitutionally impermissible). Nor was he entitled to have his conviction overturned, as he has requested, because this relief is only available by filing a petition for a writ of habeas corpus. See *Preiser v. Rodriguez*, 411 U.S. 475, 500 (1973). Finally, Bell raises several new arguments that we will not consider for the first time on appeal. See *Stone v. Harry*, 364 F.3d 912, 914–15 (8th Cir. 2004) (stating that arguments “may not be advanced for the first time on appeal”).

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

¹The Honorable Rebecca Ebinger, United States District Judge for the Southern District of Iowa.