

United States Court of Appeals
For the Eighth Circuit

No. 21-1937

Guy Greene

Plaintiff - Appellant

v.

Tara Osborne-Leivian, Sued in their Individual & Official Capacities, et al.; Kevin Moser, Sued in their Individual & Official Capacities, et al.; Paul Mayfield, Sued in their Individual & Official Capacities, et al.; Brian Ninneman, Sued in their Individual & Official Capacities, et al.; Courtney Jo Menten, Sued in their Individual & Official Capacities, et al.; Staci Bovin, Sued in their Individual & Official Capacities, et al.; Jana Brister-Korby, Sued in their Individual & Official Capacities, et al.; Paul Schnell, Sued in their Individual & Official Capacities, et al.; Nancy Johnston, Sued in their Individual & Official Capacities, et al.; Andrea Long, Sued in their Individual and Official Capacities; Jodi Harpstead, Sued in their Individual and Official Capacities; Ann Linkert, Sued in their Individual and Official Capacities; Nicole Vaineo, Sued in their Individual and Official Capacities; Traci Zuk, Sued in their Individual and Official Capacities; Jane Doe, MSOP - Nurse Practitioner, Sued in their Individual and Official Capacities; Brent Schmidt, Minnesota Department of Corrections, Parole Agent, Sued in their Individual and Official Capacities; Zach Gahm, Minnesota Department of Corrections, Hearings and Release Officer, Sued in their Individual and Official Capacities; Rebecca Holmes-Larson, Minnesota Department of Corrections, Executive, Sued in their Individual and Official Capacities; Vicki Janssen, MCF - Rush City Warden, Sued in their Individual and Official Capacities; Jessica Olson, MCF - Rush City Health Services Administrator, Sued in their Individual and Official Capacities; Michelle Saari, MCF - Rush City Behavioral Health Supervisor, Sued in their Individual and Official Capacities; Dr. Scherer, MCF - Rush City Clinical Staff, Sued in their Individual and Official Capacities; Jenna Younkers, MCF - Rush City Clinical Staff, Sued in their Individual and Official Capacities; Tom Soles, MCF - Rush City Clinical Staff, Sued in their Individual

and Official Capacities; Joshua Kendall, MCF - Rush City Case Manager, Sued in their Individual and Official Capacities; John Doe, Minnesota Department of Corrections - OSI, Sued in their Individual and Official Capacities; John Doe, MCF - Rush City Casemanager, Sued in their Individual and Official Capacities; John Doe, Parole Agent, Carlton County; John Doe, HRU Officer

Defendants - Appellees

Appeal from United States District Court
for the District of Minnesota

Submitted: September 30, 2021
Filed: November 4, 2021
[Unpublished]

Before COLLOTON, GRUENDER, and SHEPHERD, Circuit Judges.

PER CURIAM.

Guy Greene appeals the district court's¹ dismissal of his 42 U.S.C. § 1983 action. Appellee Brent Schmidt has also moved to respond to Greene's reply brief. After careful review, we conclude that dismissal was proper for the reasons stated by the district court, *see Braden v. Wal-Mart Stores, Inc.*, 588 F.3d 585, 591 (8th Cir. 2009) (standard of review), and that the court did not abuse its discretion in denying Greene appointed counsel, *see Patterson v. Kelley*, 902 F.3d 845, 849-50 (8th Cir. 2018) (standard of review; noting pro se litigants have no right to counsel in civil

¹The Honorable Eric C. Tostrud, United States District Judge for the District of Minnesota.

cases). Accordingly, we affirm, and deny the pending motion as moot. *See* 8th Cir. R. 47B.
