

United States Court of Appeals
For the Eighth Circuit

No. 22-2478

Trey Redowl; Lawrence Tyndall; Lamonte Bertucci; Robert Strongheart

Plaintiffs

James William Langdeaux

Plaintiff - Appellant

Bryon Bauer; Harold Thomas; Dayton Sabasta; Dustin Nielsen; Zachary Ramirez;
Jesse Lasley; Marc Hanslip; Torin Ward; Kiedis OldBear; Raymond D. Cooper;
Damon M. Calaway; Cody Kepple; Lonzo Thomas; Joseph Tapia; John Stead;
Michael Euchner

Plaintiffs

v.

State of Iowa; Judy Morrison, Contractual State Employee; Iowa Department of
Corrections; Fort Dodge Correctional Facility

Defendants - Appellees

John Does 1-10; Jane Does 1-10

Defendants

Robert Johnson; Don Harris; Netti Renshaw

Defendants - Appellees

Appeal from United States District Court
for the Northern District of Iowa - Central

Submitted: April 26, 2023
Filed: May 1, 2023
[Unpublished]

Before GRUENDER, GRASZ, and KOBES, Circuit Judges.

PER CURIAM.

James Langdeaux appeals following the district court's¹ adverse grant of summary judgment in his 42 U.S.C. § 1983 action. During the pendency of this appeal, Langdeaux was transferred to another institution, rendering moot his claims for declaratory and injunctive relief. See Smith v. Hundley, 190 F.3d 852, 855 (8th Cir. 1999) (inmate's claims for declaratory and injunctive relief were moot where he had been transferred to another prison and was no longer subject to allegedly unlawful policies; mere possibility of transfer back to prison at issue was insufficient to bring claims within narrow capable-of-repetition-yet-evading-review exception to mootness doctrine). As Langdeaux waived his damages claims, we conclude that no relief is available, and dismiss the appeal as moot. See Heisler v. Nationwide Mut. Ins. Co., 931 F.3d 786, 797 (8th Cir. 2019) (claims waived on appeal where appellant previously waived them or conceded that they failed in summary judgment briefing before district court); Robinson v. Pfizer, Inc., 855 F.3d 893, 897 (8th Cir. 2017) (case is moot when it becomes impossible for court to grant any effectual relief).

¹The Honorable Leonard T. Strand, Chief Judge, United States District Court for the Northern District of Iowa.

The appeal is dismissed.
