

United States Court of Appeals
For the Eighth Circuit

No. 22-3147

Eddie Milton Garey, Jr., also known as Negro Garey,

Plaintiff - Appellant,

v.

Rhonda Langley, RN, FCC; Rosemary Stiles, Physicians Asst, FCCC; P. Benson, CO, FCCC; Stacey Hill, Medical Technician, FCCC (originally named as Hill); Quinton White, Officer; FCCC (originally named as Q White); J. Lambert, CO, FCCC; Breanna Lonero, Lt, FCCC (Originally named as Lonero); Michael Kruger, AHSA, FCCC (originally named as Krueger); Aaron Ward, CO, FCCC (Originally named as Ward); Jeremy Lindley, CO, FCCC (originally named as J Lindley); Gene Beasley, Warden, FCCC; Joseph Peeler, Correctional Officer, FCCC (originally named as Peeler); United States of America; D. Riggs, CO, FCCC; Larry Miller, CO, FCCC (originally named as L Miller); Clifford Nichols, CO, FCCC (Originally named as John Doe; previously named as C Nichols),

Defendants - Appellees.

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

Submitted: October 5, 2023

Filed: October 11, 2023

[Unpublished]

Before COLLOTON, GRUENDER, and ERICKSON, Circuit Judges.

PER CURIAM.

Eddie Garey appeals a judgment against him on claims under the Federal Tort Claims Act (FTCA), the Americans with Disabilities Act, and *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971). On careful review, we conclude that the district court¹ did not err in granting partial summary judgment in favor of the defendants. The court also did not abuse its discretion in denying Garey's motions for appointment of counsel and for sanctions, or in awarding damages on the FTCA negligence claim decided in Garey's favor. We also see no abuse of discretion in the district court's denial of Garey's post-judgment motion under Federal Rules of Civil Procedure 59(e) and 60(b). The judgment is affirmed. *See* 8th Cir. R. 47B. Garey's pending motions are denied.

¹The Honorable Lee P. Rudofsky, United States District Judge for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable Patricia S. Harris, United States Magistrate Judge for the Eastern District of Arkansas.