

United States Court of Appeals
For the Eighth Circuit

No. 23-2857

James E. Clifford

Plaintiff - Appellant

v.

Carla Walker, Property Manager; Yarco Company, Inc.; St. Michael Housing
Partners Investors I, L.P.

Defendants - Appellees

Appeal from United States District Court
for the Western District of Missouri - Kansas City

Submitted: February 20, 2024
Filed: February 23, 2024
[Unpublished]

Before LOKEN, BENTON, and ERICKSON, Circuit Judges.

PER CURIAM.

Missouri resident James Clifford appeals following the district court's¹ adverse grant of summary judgment on his federal housing discrimination and retaliation claims. On appeal, he refers to claims that were omitted from the operative complaint or voluntarily dismissed, and he challenges the summary judgment decision.

After careful review, we conclude the claims omitted from the operative complaint were abandoned, see In re Atlas Van Lines, Inc., 209 F.3d 1064, 1067 (8th Cir. 2000) (amended complaint supersedes original complaint); and Clifford may not seek review of the claims he voluntarily dismissed, see Bowers v. St. Louis Sw. Ry. Co., 668 F.3d 369, 369 (8th Cir. 1981) (per curiam) (plaintiff generally may not appeal from order granting voluntarily dismissal). We further conclude the adverse grant of summary judgment was proper for the reasons explained by the district court. See Gallagher v. Magner, 619 F.3d 823, 830 (8th Cir. 2010) (de novo review of grant of summary judgment, viewing evidence in light most favorable to non-movant).

Accordingly, we affirm. See 8th Cir. R. 47B. We also deny Clifford's motion to supplement the record.

¹The Honorable Gary A. Fenner, United States District Judge for the Western District of Missouri.