

United States Court of Appeals
For the Eighth Circuit

No. 23-3583

Deon A. Stewart

Plaintiff - Appellant

v.

Department of Correctional Service Staff; Sherwood, Case Manager; NeuJahr,
Case Manager; Sera Nelson, Warden; Cathy Sears, Warden; Taggart Boyd,
Warden; M. Dicini, Corporal

Defendants - Appellees

Appeal from United States District Court
for the District of Nebraska - Lincoln

Submitted: February 6, 2024
Filed: February 9, 2024
[Unpublished]

Before BENTON, KELLY, and STRAS, Circuit Judges.

PER CURIAM.

Deon Stewart appeals the district court's¹ orders granting his motion to voluntarily dismiss his complaint and denying his Fed. R. Civ. P. 60(b) motion for relief from judgment. Having jurisdiction under 28 U.S.C. § 1291, this court affirms.

Upon careful consideration of the record and Stewart's arguments on appeal, this court concludes the district court did not abuse its discretion in granting Stewart's motion to dismiss his case and denying Rule 60(b) relief. *See Paulucci v. City of Duluth*, 826 F.2d 780, 782-83 (8th Cir. 1987); *Miller v. Baker Implement Co.*, 439 F.3d 407, 414 (8th Cir. 2006).

The judgment is affirmed. *See* 8th Cir. R. 47B.

¹The Honorable Joseph F. Bataillon, United States District Judge for the District of Nebraska.