

United States Court of Appeals
For the Eighth Circuit

No. 23-2840

Reginald L. Dunahue

Plaintiff - Appellant

v.

Dexter Payne, Director, Arkansas Department of Correction;
Wendy Kelley, Former Director, Arkansas Department of Correction;
Marshall Dale Reed, Chief Deputy, Arkansas Department of Correction;
Jeremy C. Andrews, Warden, EARU, ADC; James Dycus, Deputy Warden,
EARU, ADC; David Knott, Major, EARU, ADC

Defendants - Appellees

Morieon Kelly, Captain, EARU, ADC

Defendant

Stephanie Palmer, Sergeant, East Arkansas Maximum Security Unit, ADC

Defendant - Appellee

Latosha Davis, Lieutenant, EARU, ADC; Kathy Baxter, Corporal/S.E.T. Team,
East Arkansas Maximum Security Unit, ADC (originally named as K Baxter);
Demarcus Lewis, Corporal/ S.E.T. Team, East Arkansas Maximum Security Unit,
ADC; Terrence Akins, Corporal/ S.E.T. Team, East Arkansas Maximum Security
Unit, ADC; Erma Bell, Kitchen Captain, EARU, ADC (originally named as Bell)

Defendants

Emmer Branch, Deputy Warden, ADC, East Arkansas Regional Unit

Defendant - Appellee

Wallace McNary, Captain, ADC, East Arkansas Regional Unit

Defendant

Georgette Broadway, Grievance Officer, ADC, East Arkansas Regional Unit

Defendant - Appellee

Justine Minor, Disciplinary Judge, ADC, East Arkansas Regional Unit

Defendant

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

Submitted: March 5, 2024

Filed: March 14, 2024

[Unpublished]

Before COLLOTON,¹ KELLY, and GRASZ, Circuit Judges.

PER CURIAM.

¹Judge Colloton became chief judge of the circuit on March 11, 2024. *See* 28 U.S.C. § 45(a)(1).

Reginald Dunahue appeals the district court's² orders dismissing some of his claims and granting summary judgment for the defendants on the remaining claims, in his pro se 42 U.S.C. § 1983 action. Having carefully reviewed the record and the parties' arguments on appeal, we find no basis for reversal. *See Townsend v. Murphy*, 898 F.3d 780, 783 (8th Cir. 2018) (reviewing de novo grant of summary judgment); *Moore v. Sims*, 200 F.3d 1170, 1171 (8th Cir. 2000) (reviewing de novo 28 U.S.C. § 1915(e)(2)(B) dismissal); *Ash v. Anderson Merchandisers, LLC*, 799 F.3d 957, 960 (8th Cir. 2015) (reviewing de novo dismissal for failure to state a claim). Accordingly, we affirm the judgment of the district court. *See* 8th Cir. R. 47B. The request for oral argument is denied as moot.

²The Honorable D.P. Marshall Jr., then Chief Judge, now United States District Judge for the Eastern District of Arkansas, in part adopting the findings and recommendations of the Honorable Patricia S. Harris, United States Magistrate Judge for the Eastern District of Arkansas.