

United States Court of Appeals
For the Eighth Circuit

No. 23-2986

Jakita Murphy

Plaintiff - Appellant

v.

Nurzuhal Faust, Warden, McPherson Unit, ADC

Defendant

Pam Malott, Sgt., McPherson Unit, ADC

Defendant - Appellee

Cody Boggs, Cpl., McPherson Unit, ADC

Defendant

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

Submitted: April 1, 2024

Filed: April 4, 2024

[Unpublished]

Before BENTON, ERICKSON, and STRAS, Circuit Judges.

PER CURIAM.

Jakita Murphy appeals following the district court's¹ adverse grant of summary judgment. After careful review of the record and the parties' arguments on appeal, we conclude that the district court properly granted summary judgment, see De Rossitte v. Correct Care Sols., LLC, 22 F.4th 796, 802 (8th Cir. 2022) (de novo review of grant of summary judgment); see also King v. Iowa Dep't of Corr., 598 F.3d 1051, 1052 (8th Cir. 2010) (dismissal for failure to exhaust remedies is reviewed de novo); and declined to address the new claims Murphy sought to assert after the close of discovery, see Bell v. Allstate Life Ins. Co., 160 F.3d 452, 454 (8th Cir. 1998) (denial of motion to amend complaint reviewed for abuse of discretion); see also 3M v. Superior Insulating Tape Co., 284 F.2d 478, 481 (8th Cir. 1960) (trial court exercises its discretion in determining whether to grant leave to supplement pleadings). Accordingly, we affirm. See 8th Cir. R. 47B. We also deny the motion for counsel.

¹The Honorable D.P. Marshall Jr., then Chief Judge, now United States District Judge for the Eastern District of Arkansas, adopting the reports and recommendations of the Honorable Edie R. Ervin, United States Magistrate Judge for the Eastern District of Arkansas.