

United States Court of Appeals
For the Eighth Circuit

No. 24-1489

Marc Amouri Bakambia

Plaintiff - Appellant

v.

Stephen Craane, M.D.; in their individual and official capacities; Luke DeHaan, P.T.; in their individual and official capacities; Louis Shicker, M.D.; in their individual and official capacities; Carol Lu, M.D.; in their individual and official capacities; Jay J. Bauder, M.D.; in their individual and official capacities; Genet Ghebre, N.P.; in their individual and official capacities; Dr. Michael Koeplin, Surgeon; in their individual and official capacities; Paul Schnell, Commissioner of Corrections; in their individual and official capacities; Michelle L. Smith, Deputy Commissioner; in their individual and official capacities; Nanette Larson, Director of the Health Services Unit; in their individual and official capacities; Guy Bosch, Warden at MCF-STW; in their individual and official capacities; Victor Wanchena, Asst. Warden of Admin. at MCF-STW; in their individual and official capacities; Marisa Williams, Asst. Warden of Admin. at MCF-STW; in their individual and official capacities; James Amsterdam, M.D.; in their individual and official capacities; Tina Sneen, Asst. Dir. of Nursing; in their individual and official capacities; Kathryn Reid, R.N.; in their individual and official capacities; Amber Swanson, R.N.; in their individual and official capacities; John Demay, R.N.; in their individual and official capacities; Sara Hard, R.N.; in their individual and official capacities; Nikki Candor, R.N.; in their individual and official capacities; Cheryl Cole, R.N.; in their individual and official capacities; Dan Moe, Asst. Warden of Admin.; in their individual and official capacities; Steve Renstrom, Case Worker; in their individual and official capacities; Susan Norton, MCF-STW Paralegal; in their individual and official capacities

Defendants - Appellees

Appeal from United States District Court
for the District of Minnesota

Submitted: August 26, 2024
Filed: August 29, 2024
[Unpublished]

Before KELLY, STRAS, and KOBES, Circuit Judges.

PER CURIAM.

Minnesota inmate Marc Bakambia appeals following the district court's¹ dismissal of his pro se civil rights action. Having carefully reviewed the record and the parties' arguments on appeal, we find no basis for reversal; however, we modify the dismissal of Bakambia's official-capacity claims arising under the Minnesota Government Data Practices Act to be without prejudice. See East v. Minnehaha Cnty., 986 F.3d 816, 820 (8th Cir. 2021) (de novo review of grant of motion to dismiss); Hart v. United States, 630 F.3d 1085, 1091 (8th Cir. 2011) (affirming dismissal based on sovereign immunity, but modifying dismissal to be without prejudice).

The judgment is affirmed as modified. See 8th Cir. R. 47B. We deny Bakambia's pending motion.

¹The Honorable Patrick J. Schiltz, Chief Judge, United States District Court for the District of Minnesota, adopting the report and recommendations of the Honorable David T. Schultz, United States Magistrate Judge for the District of Minnesota.