

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 00-1331EA

Jimmy Lee Butler,

Appellant,

v.

Smith, Captain, Pulaski County Jail;
Cummings, Miss, Pulaski County Jail;
Ann Ardria, Miss, Finance Office,
Pulaski County Jail; Randy Johnson,
Sheriff, Pulaski County Jail,

Appellees.

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

[Not To Be Published]

Submitted: March 2, 2000

Filed: March 13, 2000

Before RICHARD S. ARNOLD, BOWMAN, and BEAM, Circuit Judges.

PER CURIAM.

Federal inmate Jimmy Lee Butler appeals from the District Court's¹ 28 U.S.C. § 1915A order dismissing with prejudice his 42 U.S.C. § 1983 complaint against three Pulaski County, Arkansas jail officials and an employee in the jail's financing office, complaining that he was wrongly charged for meals while he was housed at the jail. Having carefully reviewed the record, see Cooper v. Schriro, 189 F.3d 781, 783 (8th Cir. 1999) (per curiam), we conclude dismissal was proper because Butler has an adequate post-deprivation remedy in state court. See Hudson v. Palmer, 468 U.S. 517, 530-37 (1984) (when state actor deprives individual of personal property, individual does not have § 1983 claim if state law provides adequate post-deprivation remedy); Ark. R. Crim. P. 15.2 & 15.5 (1999) (providing that motion for return of seized items can be filed or other civil remedies can be pursued); McQuillan v. Mercedes-Benz Credit Corp., 961 S.W.2d 729, 732 (Ark. 1998) ("Conversion is a common-law tort action for the wrongful possession or disposition of another's property.").

As to Butler's complaint that the Magistrate Judge lacked authority to "decide" this case, we note that the Magistrate Judge and the District Court Judge followed the procedures outlined in 28 U.S.C. § 636(b) in handling the case.

Accordingly, we affirm. See 8th Cir. R. 47A(a).

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.

¹The Honorable Henry Woods, United States District Judge for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable Jerry W. Cavaneau, United States Magistrate Judge for the Eastern District of Arkansas.