

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

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No. 99-4001

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Marcus L. Walker, Jr., (filed by  
Joe Rieben),

Appellant,

v.

Arkansas State Hospital; John Doe,  
Psychiatrist, Arkansas State Hospital,

Appellees.

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Appeals from the United States  
District Court for the Eastern  
District of Arkansas.

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No. 00-1351

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[UNPUBLISHED]

Marcus L. Walker, Jr.,

Appellant,

v.

Arkansas State Hospital,

Appellee.

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Submitted: June 13, 2000

Filed: June 29, 2000

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Before WOLLMAN, Chief Judge, FAGG and BOWMAN, Circuit Judges.

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PER CURIAM.

Marcus L. Walker, Jr. appeals the dismissal for failure to state a claim of his 42 U.S.C. § 1983 action against the Arkansas State Hospital and the court-appointed psychiatrist who found Walker competent to stand trial. Because defendant Arkansas State Hospital is not a person for purposes of § 1983, see Alsbrook v. City of Maumelle, 184 F.3d 999, 1010 (8th Cir. 1999), petition for cert. granted in part, 120 S. Ct. 1003, and dismissed, 120 S. Ct. 1265 (2000), and defendant psychiatrist is immune from damages under § 1983, see Moses v. Parwatikar, 813 F.2d 891, 892 (8th Cir. 1987), the district court properly dismissed Walker's lawsuit. We affirm on the basis of the district court's order without further discussion. See 8th Cir. R. 47B.

A true copy.

Attest:

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