

Department of Correction, originally *
sued as Mallett; K. Luckett, Chief of *
Security, Arkansas Department of *
Correction; Michael Deloney, *
Disciplinary Hearing Officer, *
*
Appellees. *

Submitted: December 5, 2000

Filed: December 28, 2000

Before RICHARD S. ARNOLD, HANSEN, and BYE, Circuit Judges.

PER CURIAM.

Arkansas inmate Elizabeth G. Brown appeals the District Court's¹ dismissal, following a hearing, of her 42 U.S.C. § 1983 action. Plaintiff had complained that, among other things, (1) she was periodically housed in cells in which access to drinking water was deficient or non-existent, despite her medically documented need for access to water; (2) on one occasion, she was deprived of a bed because her cell-mate would not relinquish the bottom bunk and plaintiff could not climb to the top bunk; and (3) she was made to work beyond her physical capabilities. The parties presented testimony on these matters, and after reviewing the testimony, the District Court concluded that defendants had not engaged in any unconstitutional conduct.

¹The Honorable Stephen M. Reasoner, United States District Judge for the Eastern District of Arkansas, adopting the report and recommendation of the Honorable John F. Forster, Jr., United States Magistrate Judge for the Eastern District of Arkansas.

We, in turn, review the District Court's factual findings for clear error, and its conclusions of law de novo. See Choate v. Lockhart, 7 F.3d 1370, 1373 n.1 (8th Cir. 1993). For the reasons expressed by the District Court, we reject plaintiff's arguments on appeal and find her action was properly dismissed. We also reject her contention that the District Court lacked jurisdiction over certain defendants because their answer to her amended complaint was not timely.

Accordingly, we affirm. See 8th Cir. R. 47B.

A true copy.

Attest:

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