

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

No. 00-1978

Rick Lynn Stanton, also known
as Rickie Lynn Stanton,

Appellant,

v.

Cindy L. Johnson, Deputy Clerk of
Court Ringgold County, Iowa; Clerk
of District Court, Ringgold County,
Iowa; Ringgold County Attorney,
Ringgold County, Iowa,

Appellees.

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Appeal from the United States
District Court for the Southern
District of Iowa.

[UNPUBLISHED]

Submitted: May 4, 2001

Filed: May 9, 2001

Before HANSEN, MORRIS SHEPPARD ARNOLD, and BYE, Circuit Judges.

PER CURIAM.

Rick Lynn Stanton appeals the district court's¹ dismissal with prejudice of his civil rights action after the court granted defendants' motion to dismiss and motion for

¹The Honorable Charles R. Wolle, United States District Judge for the Southern District of Iowa.

summary judgment. Reviewing de novo, we agree with the district court that Mr. Stanton failed to state a claim and that the doctrines of sovereign and judicial immunity shielded defendants from liability. See Puerto Rico Aqueduct and Sewer Auth. v. Metcalf & Eddy, Inc., 506 U.S. 139, 144 (1993) (absent waiver of Eleventh Amendment immunity, neither state nor its agencies may be subject to suit in federal court); Will v. Mich. Dep't of State Police, 491 U.S. 58, 71 (1989) (official-capacity suit against state official is not suit against official but rather is suit against official's office; as such, suit is no different from one against state itself); Edelman v. Jordan, 415 U.S. 651, 666-68 (1974) (return of monies that were allegedly wrongfully withheld from public-assistance-benefits applicants could not be classified as prospective injunctive relief, as funds to satisfy award would inevitably come from state's general revenues; award was essentially indistinguishable from damage award against state); Hanten v. Sch. Dist. of Riverview Gardens, 183 F.3d 799, 805 (8th Cir. 1999) (standard of review); Boyer v. County of Washington, 971 F.2d 100, 102 (8th Cir. 1992) (per curiam) (clerk was entitled to absolute immunity for signing and issuing arrest warrant regardless of whether judge instructed her to do so because these acts are integral parts of criminal judicial process), cert. denied, 508 U.S. 974 (1993).

Turning to Mr. Stanton's other arguments on appeal, we find no error in the district court's dismissal of the complaint without granting leave to amend: nothing in the record suggests Mr. Stanton ever attempted to amend it. Contrary to his suggestion, no claim for an accounting appeared in his complaint, nor was any state law claim clearly alleged. See Smith v. St. Bernards Reg'l Med. Ctr., 19 F.3d 1254, 1255 (8th Cir. 1994) (Fed. R. Civ. P. 8(a)(2) requires complaint include short and plain statement of claim that gives fair notice of plaintiff's claim and grounds for relief). Finally, we conclude dismissal with prejudice was proper. See Wright v. Anthony, 733 F.2d 575, 577 (8th Cir. 1984).

Accordingly, we affirm.

A true copy.

Attest:

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