



Kelvin Tart appeals from the district court's<sup>1</sup> adverse grant of judgment as a matter of law under Federal Rule of Civil Procedure 52(c) in the bench trial of his 42 U.S.C. § 1983 action against Albert Harris. Having carefully reviewed the record and the parties' briefs, we agree with the district court that Harris's disclosure of Tart's drug test results to a third party did not arise to the level of a constitutional violation. See Eagle v. Morgan, 88 F.3d 620, 625 (8th Cir. 1996) (setting forth standard for determining whether disclosure of "private" information constitutes constitutional violation). Accordingly, we affirm the judgment of the district court. See 8th Cir. R. 47B.

A true copy.

Attest:

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

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<sup>1</sup>The Honorable Susan Webber Wright, Chief Judge, United States District Court for the Eastern District of Arkansas.