

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

No. 00-3882

Reginald Boswell,

Appellant,

v.

Denny's, Inc.,

Appellee.

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* Appeal from the United States
* District Court for the
* Southern District of Iowa.
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* [UNPUBLISHED]
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Submitted: September 17, 2001

Filed: September 21, 2001

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

PER CURIAM.

Reginald Boswell appeals following an adverse jury verdict in his Title VII action against Denny's, Inc. After careful consideration of Boswell's arguments on appeal, we find he has raised no claims warranting reversal. Among other things, he has raised issues concerning witness credibility—matters that are virtually unreviewable by an appellate court. Here, we are not pointed to any problems of witness credibility that would undermine our confidence in the jury verdict. Moreover, based on the limited record before us, which does not include a trial transcript, Boswell has not shown that the district court committed any prejudicial abuse of discretion in making the rulings of which he complains, or that he even requested rulings on certain issues

he now raises. We also note that he complains of ineffective assistance of counsel, which is not a basis for reversal in this civil case.

Accordingly, we affirm the judgment of the District Court.¹ See 8th Cir. R. 47B. We decline Denny's request to sanction Boswell under Federal Rule of Appellate Procedure 38.

A true copy.

Attest:

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

¹The Honorable Robert W. Pratt, United States District Judge for the Southern District of Iowa.