

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

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No. 04-1224

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Kelly D. Warfield,

Appellant,

v.

Tracey R. Dollison, Pennington  
County State's Attorney's Office,

Appellee.

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\* Appeal from the United States  
\* District Court for the District  
\* of South Dakota.  
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\* [UNPUBLISHED]  
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Submitted: November 12, 2004

Filed: November 17, 2004

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Before MURPHY, FAGG, and SMITH, Circuit Judges.

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PER CURIAM.

Kelly D. Warfield appeals the district court's\* adverse grant of summary judgment in Warfield's 42 U.S.C. § 1983 action. After carefully reviewing the record, we conclude the judgment was proper for the reasons stated by the district court. We deny Warfield's motion to supplement the record and affirm the judgment of the district court. See 8th Cir. R. 47B.

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\*The Honorable Karen E. Schreier, United States District Judge for the District of South Dakota.