

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

No. 04-3953

Patrick Edward Smrz,	*
	*
Appellant,	*
	* Appeal from the United States
v.	* District Court for the
	* District of South Dakota.
Tammy Harper; John Doe; Jane Doe,	*
	* [UNPUBLISHED]
Appellees.	*

Submitted: January 31, 2006
Filed: February 8, 2006

Before RILEY, MAGILL, and GRUENDER, Circuit Judges.

PER CURIAM.

Idaho prisoner Patrick Edward Smrz appeals the district court's¹ dismissal of his civil complaint for failure to state a claim. After de novo review, see Moore v. Sims, 200 F.3d 1170, 1171 (8th Cir. 2000) (per curiam), we conclude dismissal was proper. Accordingly, we affirm. See 8th Cir. R. 47B.

¹The Honorable Lawrence Piersol, Chief Judge, United States District Court for the District of South Dakota.