

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

No. 05-3849

Kennith S. Stoehr,

Appellant,

v.

Tim Reisch, Secretary of Corrections;
Daryl R. Slykhuis, Deputy Warden;
Doug Weber, Warden, South Dakota
State Penitentiary; Rodney Brockoft,
Lt. in charge of DHO; South Dakota
Department of Corrections,
Appellees.

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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* [UNPUBLISHED]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: February 2, 2007
Filed: February 7, 2007

Before RILEY, MAGILL, and MELLOY, Circuit Judges.

PER CURIAM.

Kennith S. Stoehr appeals the adverse grant of summary judgment entered by the district court¹ in his 42 U.S.C. § 1983 action. Following de novo review, we agree with the district court that defendants' uncontroverted evidence showed Stoehr's due

¹The Honorable Richard H. Battey, United States District Judge for the District of South Dakota.

process rights were not violated at his prison disciplinary proceedings. We also find no abuse of discretion in the denial of Stoehr's motion for counsel. Accordingly, we affirm the judgment of the district court. See 8th Cir. R. 47B.
