

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

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No. 06-1847

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Jessie J. Johnson,

Appellant,

v.

Harvey Yates,

Appellee.

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Appeal from the United States  
District Court for the  
Eastern District of Arkansas.

[UNPUBLISHED]

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Submitted: March 27, 2007

Filed: March 28, 2007

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Before SMITH, GRUENDER, and SHEPHERD, Circuit Judges.

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PER CURIAM.

Jessie Johnson appeals the district court's<sup>1</sup> dismissal of his complaint against Harvey Yates, a judge in the Circuit Court of Phillips County, Arkansas. Johnson alleged that Judge Yates knew that a defendant in Johnson's state-court lawsuit was lying to the court at a hearing, but failed to hold the defendant in contempt of court. We agree with the district court that Judge Yates was protected by absolute judicial immunity. See Mireles v. Waco, 502 U.S. 9, 11 (1991) (per curiam).

Accordingly, we affirm the dismissal. See 8th Cir. R. 47B.

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<sup>1</sup>The Honorable J. Leon Holmes, Chief Judge, United States District Court for the Eastern District of Arkansas.