

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 07-1981

Eugene Smith,

Appellant,

v.

East Arkansas Video, Inc.,

Appellee.

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

[UNPUBLISHED]

Submitted: May 7, 2008

Filed: May 8, 2008

Before WOLLMAN, RILEY, and GRUENDER, Circuit Judges.

PER CURIAM.

Eugene Smith appeals the district court's¹ adverse grant of judgment on the pleadings on his civil suit brought against defendant in connection with its allegedly unsatisfactory television and internet service to Smith. After careful de novo review, see Stalley ex rel. United States v. Catholic Health Initiative, 509 F.3d 517, 521 (8th Cir. 2007); Wescott v. City of Omaha, 901 F.2d 1486, 1488 (8th Cir. 1990), we conclude that dismissal of the federal claims was proper. We also conclude that the district court did not abuse its discretion in denying appointment of counsel, see

¹The Honorable Susan Webber Wright, United States District Judge for the Eastern District of Arkansas.

Phillips v. Jasper County Jail, 437 F.3d 791, 794 (8th Cir. 2006) (standard of review), or preliminary injunctive relief, see Blue Moon Entm't, LLC v. City of Bates City, Mo., 441 F.3d 561, 564 (8th Cir. 2006) (standard of review). Finally, the court also did not abuse its discretion in declining to exercise supplemental jurisdiction over Smith's state law claims, which the court properly dismissed without prejudice. See Labickas v. Ark. State Univ., 78 F.3d 333, 334-35 (8th Cir. 1996) (per curiam).

The judgment is affirmed. See 8th Cir. R. 47B.
