

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 07-3423

George P. Cron,	*	
	*	
Plaintiff - Appellant,	*	Appeal from the United States
	*	District Court for the Western
v.	*	District of Missouri.
	*	
The Board of Governors of Missouri	*	[UNPUBLISHED]
State University,	*	
	*	
Defendants - Appellees.	*	

Submitted: May 15, 2008
Filed: May 29, 2008

Before WOLLMAN, MURPHY, and SMITH, Circuit Judges.

PER CURIAM.

George Cron's tenure application was denied by the Board of Governors of Missouri State University. He challenges the district court's¹ adverse grant of summary judgment on his due process claims brought under 42 U.S.C. § 1983.²

¹The Honorable John T. Maughmer, United States Magistrate Judge for the Western District of Missouri.

²On appeal Cron voluntarily dismissed his claims against individual defendants for violation of due process, defamation, and tortious interference with contract.

Viewing the record with the evidence and all reasonable inferences in a light most favorable to Cron, see Doe v. Dep't of Vets. Affairs, 519 F.3d 456, 460 (8th Cir. 2008) (standard of review), we conclude that the district court did not err by granting summary judgment in favor of defendants on the basis of Eleventh Amendment immunity, see Sherman v. Curators of Univ. Mo., 871 F. Supp. 344, 348 (W.D. Mo. 1994) (University of Missouri is state instrumentality entitled to Eleventh Amendment immunity); see also Hadley v. N. Ark. Comm. Tech. Coll., 76 F.3d 1437, 1438-39 & n.2 ("[s]tate universities and colleges almost always enjoy Eleventh Amendment immunity," citing circuit cases), or on the alternative basis that Cron could not identify any constitutionally protected property interest which had been denied him. For the reasons stated by the district court, the judgment is affirmed. See 8th Cir. R. 47B.
