

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

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No. 08-1876

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Joeffre Kolosky,

Appellant,

v.

City of Brooklyn Park; City of  
Brooklyn Center; City of Burnsville,  
City of Savage; Dakota County,

Appellees.

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\* Appeal from the United States  
\* District Court for the  
\* District of Minnesota.  
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\* [UNPUBLISHED]  
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Submitted: June 12, 2009  
Filed: June 22, 2009

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Before **BYE**, **COLLTON**, and **GRUENDER**, Circuit Judges.

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PER CURIAM.

Joeffre Kolosky appeals the district court's<sup>1</sup> dismissal of his 42 U.S.C. § 1983 complaint for failure to state a claim. After de novo review, see Olsen v. Mukasey, 541 F.3d 827, 830 (8th Cir. 2008), cert. denied, 77 U.S.L.W. 3606 (U.S. May 4, 2009), we conclude the dismissal of Kolosky's complaint was proper for the reasons

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<sup>1</sup>The Honorable John R. Tunheim, United States District Judge for the District of Minnesota, adopting the report and recommendation of the Honorable Franklin L. Noel, United States Magistrate Judge for the District of Minnesota.

stated by the district court. We also find no abuse of discretion in the district court's denial of Kolosky's motion to proceed in forma pauperis on appeal, because Kolosky failed to demonstrate that he had insufficient resources to pay the filing fee. Accordingly, we affirm the judgment of the district court. See 8th Cir. R. 47B.

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