

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 09-1269

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| Teresa Polite, | * | |
| | * | |
| Appellant, | * | Appeal from the United States |
| | * | District Court for the Eastern |
| v. | * | District of Arkansas. |
| | * | |
| Arkansas Department of Correction, | * | [UNPUBLISHED] |
| | * | |
| Appellee. | * | |

Submitted: January 4, 2010
Filed: January 12, 2010

Before MURPHY, COLLOTON, and SHEPHERD, Circuit Judges.

PER CURIAM.

Teresa Polite appeals the district court's¹ dismissal without prejudice of her civil rights action for failure to comply with a court order. Upon careful review, we conclude that the district court did not abuse its discretion in dismissing the action. See Fed. R. Civ. P. 37(b)(2), 41(b); Doe v. Cassel, 403 F.3d 986, 990 (8th Cir. 2005) (per curiam) (Rule 41(b) dismissal); Hairston v. Alert Safety Light Prods., Inc., 307 F.3d 717, 718-19 (8th Cir. 2002) (Rule 37(b) dismissal). We also decline to consider

¹The Honorable Brian S. Miller, United States District Judge for the Eastern District of Arkansas.

the arguments raised for the first time on appeal. Accordingly, we affirm. See 8th Cir. R. 47B.
