

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 09-1817

Mwati P. McKenzie,

Appellant,

v.

Joan Fabian, Commissioner of
Corrections; Lynn Dingle, Chief
Corrections Officer; Erik Skon,
Deputy Assistant Commissioner,

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* [UNPUBLISHED]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: December 22, 2009

Filed: January 8, 2010

Before WOLLMAN, RILEY, and SMITH, Circuit Judges.

PER CURIAM.

Mwati McKenzie appeals the district court's¹ dismissal of his civil-rights action. Upon de novo review, see Parkhurst v. Tabor, 569 F.3d 861, 865 (8th Cir. 2009), we conclude dismissal was proper for failure to state a claim. We affirm. See 8th Cir. R. 47B.

¹The Honorable Paul A. Magnuson, United States District Judge for the District of Minnesota, adopting the report and recommendation of the Honorable Janie S. Mayeron, United States Magistrate Judge for the District of Minnesota.