

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

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No. 10-2108

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Cesar De La Garza,	*
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Appellant,	*
	* Appeal from the United States
v.	* District Court for the
	* District of Minnesota.
Joan Fabian; Erik Skon;	*
Jessica Symmes; Mark Thielen;	* [UNPUBLISHED]
Lacie Stevenson; Lynn Dingle;	*
Jane Norman, sued in their	*
individual and official capacities,	*
	*
Appellees.	*

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Submitted: October 19, 2010  
Filed: October 27, 2010

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Before BYE, BOWMAN, and COLLOTON, Circuit Judges.

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PER CURIAM.

Inmate Cesar De La Garza appeals following the district court's<sup>1</sup> adverse grant of summary judgment in his 42 U.S.C. § 1983 action. Having conducted de novo review of the record, see Mason v. Corr. Med. Servs., Inc., 559 F.3d 880, 884-85 (8th

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<sup>1</sup>The Honorable Richard H. Kyle, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Jeanne J. Graham, United States Magistrate Judge for the District of Minnesota.

Cir. 2009) (summary judgment standard of review), and having carefully considered De La Garza's multiple arguments for reversal, we affirm. Specifically, we agree with the district court's reasons for concluding that no trialworthy issues existed as to any of the substantive claims raised by De La Garza. We also find that the court did not abuse its discretion in declining to appoint counsel, in denying certain discovery, in refusing to extend the deadline for discovery or for De La Garza's response to the pending summary judgment motion, and in denying his motion for recusal. Accordingly, we affirm. See 8th Cir. R. 47B.

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