

Inmate James C. Fudge appeals the district court's¹ grant of summary judgment to most defendants he named in his 42 U.S.C. § 1983 action, and the subsequent entry of judgment in favor of the remaining defendant following a jury trial. To the extent he has properly raised any issues for review, see Meyers v. Starke, 420 F.3d 738, 743 (8th Cir. 2005) (to be reviewable, issue must be presented in brief with some specificity), we find no basis for overturning the grant of summary judgment to certain defendants, see Mason v. Corr. Med. Servs., Inc., 559 F.3d 880, 884-85 (8th Cir. 2009) (summary judgment standard of review), and we reject as meritless his indirect challenges to the jury verdict. Accordingly, we affirm, see 8th Cir. R. 47B, but we modify the dismissal of the excessive-force claim against Patrick V. Walton for failure to exhaust administrative remedies to be without prejudice, see Calico Trailer Mfg. Co. v. Ins. Co. of N. Am., 155 F.3d 976, 978 (8th Cir. 1998) (“[c]onsistent with exhaustion principles,” modifying dismissal for failure to exhaust administrative remedies to be without prejudice).

¹The Honorable J. Leon Holmes, Chief Judge, United States District Court for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable Beth Deere, United States Magistrate Judge for the Eastern District of Arkansas.