

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

---

No. 10-2372

---

Marion S. Harger,

Appellant,

v.

Missouri Board of Probation and  
Parole, et al.,

Appellees.

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

Appeal from the United States  
District Court for the  
Eastern District of Missouri.

[UNPUBLISHED]

---

Submitted: January 6, 2011  
Filed: January 18, 2011

---

Before LOKEN, MURPHY, and BENTON, Circuit Judges.

---

PER CURIAM.

Missouri inmate Marion Harger appeals the district court's<sup>1</sup> order dismissing his 42 U.S.C. § 1983 action for failure to state a claim. After careful de novo review, see Blankenship v. USA Truck, Inc., 601 F.3d 852, 853 (8th Cir. 2010), we agree with the district court that Harger failed to allege a constitutional violation. He has no liberty interest in parole, see Adams v. Agniel, 405 F.3d 643, 645 (8th Cir. 2005), and he failed to show that application of the 2008 Missouri parole statutes and regulations,

---

<sup>1</sup>The Honorable Stephen N. Limbaugh, Jr., United States District Judge for the Eastern District of Missouri.

instead of those in effect in 1988 when his offenses were committed, resulted in either an Ex Post Facto Clause or Equal Protection Clause violation. See Nolan v. Thompson, 521 F.3d 983, 987-90 (8th Cir. 2008); McCall v. Delo, 41 F.3d 1219, 1221 (8th Cir. 1994).

Accordingly, we affirm. See 8th Cir. R. 47B.

---