

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 11-1860

Frank Lawshea,

Appellant,

v.

Paula Phillips, Function Unit Manager;
Timothy Holsten, Caseworker; Curt
Curtis; Thomas Waldrup; Keith Mays,
Function Unit Manager,

Appellees.

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* Appeal from the United States
* District Court for the
* Eastern District of Missouri.
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* [UNPUBLISHED]
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Submitted: February 15, 2012

Filed: March 5, 2012

Before BYE, COLLOTON, and GRUENDER, Circuit Judges.

PER CURIAM.

Missouri inmate Frank Lawshea appeals following the district court's¹ entry of judgment upon an adverse jury verdict in his 42 U.S.C. § 1983 action. The only matters properly before us are Lawshea's challenges to the jury instructions, the sufficiency of the evidence at trial, and the admission of certain evidence. See

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

Berdella v. Delo, 972 F.2d 204, 207-08 & n.6 (8th Cir. 1992). We cannot review the sufficiency of the evidence or the challenged evidentiary rulings because Lawshea did not provide a trial transcript and did not request preparation of a transcript at government expense. See Fed. R. App. P. 10(b); Schmid v. United Bhd. of Carpenters and Joiners of Am., 827 F.2d 384, 386 (8th Cir. 1987) (per curiam) (pro se appellant's failure to order trial transcript made it impossible to evaluate challenged evidentiary rulings or rule on weight of evidence). Based on the limited record before us, we conclude no error is apparent in the jury instructions. See Kaplan v. Mayo Clinic, 653 F.3d 720, 726 (8th Cir. 2011) (standard of review).

Accordingly, we affirm. See 8th Cir. R. 47B. We deny Lawshea's pending motions.
