

United States Court of Appeals
For the Eighth Circuit

No. 14-3844

Michael Bowden

Plaintiff - Appellant

v.

Jimmy Banks, Warden, Varner Unit, ADC; Joe Page, III, Deputy Warden, Varner Unit, ADC; Shirley Hudson, CO, Varner Unit, ADC; G. Williams, CO, Varner Unit, ADC; K. Bolden, Major, Varner Unit, ADC

Defendants - Appellees

Appeal from United States District Court
for the Eastern District of Arkansas - Pine Bluff

Submitted: June 15, 2015
Filed: June 23, 2015
[Unpublished]

Before SMITH, BOWMAN, and COLLOTON, Circuit Judges.

PER CURIAM.

Michael Bowden appeals following entry of judgment against him in his pro se 42 U.S.C. § 1983 action, in which he claimed that defendants failed to protect him

from an assault by other inmates. Upon careful de novo review, we conclude that, for the reasons explained by the district court,¹ the court not err in (1) dismissing three defendants without prejudice based on Bowden's failure to exhaust his administrative remedies, see 42 U.S.C. § 1997(e); King v. Iowa Dep't of Corr., 598 F.3d 1051, 10532 (8th Cir. 2010) (standard of review); and (2) granting summary judgment for the remaining two defendants, see Whitson v. Stone Cnty. Jail, 602 F.3d 920, 923 (8th Cir. 2010) (standard of review and elements of failure-to-protect case). Accordingly, we affirm. See 8th Cir. R. 47B.

¹The Honorable Susan Webber Wright, United States District Judge for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable Joe J. Volpe, United States Magistrate Judge for the Eastern District of Arkansas.