

United States Court of Appeals
For the Eighth Circuit

No. 15-2165

James McAlphin

Plaintiff - Appellant

v.

Dr. Nwannem Obi-Okoye, ADC, EARU (originally named as N. Obi); Dr. Don Ball, ADC, EARU (originally named as Ball); Geraldine Campbell, APN (Practicing Nurse), ADC, EARU (originally named as G. Campbell); Dr. Kitrell, Psychiatrist, ADC, EARU; Dr. John Delk, Doctor of Urology, University Hospital; Charlotte Gardner, Regional Ombudsman (Corizon); Dr. Richard E. D'Anna, Urologist; Corizon, Medical Contractor, ADC; Dunn, Nurse (Corizon); Dr. Roland Anderson, ADC Central Office; Larry May, Assistant Director ADC; Wendy Kelley, Director, ADC, in her individual capacity; Rory Griffin, Deputy Assistant Director, ADC, in his official capacity; Arkansas Department of Correction, a municipality

Defendants - Appellees

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

Submitted: January 6, 2016
Filed: February 2, 2016
[Unpublished]

Before SMITH, BYE, and SHEPHERD, Circuit Judges.

PER CURIAM.

Arkansas inmate James McAlphin appeals the district court's¹ adverse grant of summary judgment in his 42 U.S.C. § 1983 action. We find no basis for reversal. Specifically, we agree with the district court that McAlphin failed to state a claim against numerous defendants, see Moore v. Sims, 200 F.3d 1170, 1171 (8th Cir. 2000) (per curiam) (de novo review of 28 U.S.C. § 1915(e)(2)(B) dismissal); Cooper v. Schriro, 189 F.3d 781, 783 (8th Cir. 1999) (per curiam) (de novo review of dismissal under 28 U.S.C. § 1915A); that the claims against Dr. Don Ball should be dismissed for lack of administrative exhaustion, see King v. Iowa Dep't of Corr., 598 F.3d 1051, 1052 (8th Cir. 2010) (de novo review); and that summary judgment was warranted on the claims against Dr. Nwannem Obi-Okoye and APN Geraldine Campbell, see Peterson v. Kopp, 754 F.3d 594, 598 (8th Cir. 2014) (de novo review). The judgment of the district court is affirmed, and McAlphin's appellate motions for counsel are denied.

¹The Honorable D.P. Marshall, Jr., 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.