

United States Court of Appeals
For the Eighth Circuit

No. 23-1882

Md Shakhawat Hossain

Plaintiff - Appellant

v.

Job Service of North Dakota

Defendant - Appellee

Appeal from United States District Court
for the District of North Dakota - Western

Submitted: November 15, 2023

Filed: November 28, 2023

[Unpublished]

Before GRUENDER, BENTON, and KELLY, Circuit Judges.

PER CURIAM.

Md Hossain appeals the district court's¹ adverse grant of summary judgment in his employment discrimination action. After careful review of the record and the

¹The Honorable Clare R. Hochhalter, United States Magistrate Judge for the District of North Dakota, to whom the case was referred for final disposition by consent of the parties pursuant to 28 U.S.C. § 636(c).

parties' arguments, we conclude Hossain did not preserve for appeal his argument that the district court erred in failing to rule on his motion to amend. See Becker v. Univ. of Neb. at Omaha, 191 F.3d 904, 909 n.4 (8th Cir. 1999) (declining to address argument plaintiff failed to preserve for appeal). We also conclude that the grant of summary judgment was proper. See Said v. Mayo Clinic, 44 F.4th 1142, 1147 (8th Cir. 2022) (reviewing grant of summary judgment de novo). Accordingly, we affirm. See 8th Cir. R. 47B.
