

UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

No. 96-3185WM

Jesse F. Bowers,	*
	*
Appellant,	*
	*
v.	* Appeal from the United States
	* District Court for the Western
	* District of Missouri.
Missouri State Employees'	*
Retirement System Board of	* [UNPUBLISHED]
Trustees,	*
	*
Appellee.	*

Submitted: May 23, 1997

Filed: June 3, 1997

Before McMILLIAN, FAGG, and LOKEN, Circuit Judges.

PER CURIAM.

Jesse F. Bowers brought this action against the Missouri State Employees' Retirement System Board of Trustees (MOSERS) claiming violations of his federal constitutional rights because MOSERS misinterpreted a Missouri statute that increased Bowers's retirement benefits and a state court ruled that it lacked subject-matter jurisdiction instead of reaching the merits of Bowers's claims for declaratory relief.

Having reviewed the record and the parties' briefs, we conclude the district court correctly dismissed Bowers's complaint for failure to state a claim under federal law. See Charchenko v. City of Stillwater, 47 F.3d 981, 983 (8th Cir. 1995); Chesterfield Dev. Corp. v. City of Chesterfield, 963 F.2d 1102, 1105 (8th Cir. 1992). Likewise, the district court did not abuse its discretion in declining to exercise supplemental jurisdiction over Bowers's state law claims. See Willman v. Heartland Hosp. East, 34 F.3d 605, 613 (8th Cir. 1994), cert. denied, 115 S. Ct. 1361 (1995).

We affirm the district court. See 8th Cir. R. 47B.

MOSERS's motion for damages and costs is denied.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.