

United States Court of Appeals  
FOR THE EIGHTH CIRCUIT

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No. 97-2326

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Larry A. Eaton,

Appellant,

v.

William D. Gerdes,

Appellee.

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Appeal from the United States  
District Court for the  
District of South Dakota.

[UNPUBLISHED]

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Submitted: September 3, 1997

Filed: September 16, 1997

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Before FAGG, BOWMAN, and MURPHY, Circuit Judges.

PER CURIAM.

Larry A. Eaton appeals from the District Court's<sup>1</sup> dismissal of his complaint seeking sanctions against his former attorney, purportedly brought under D.S.D. LR 83.2(G)(4). Neither that local rule, nor any other authority, confers standing on a private party to initiate a disciplinary proceeding. Cf. Mattice v. Meyer, 353 F.2d 316, 319 (8th Cir. 1965) (holding neither Federal Rules of Civil Procedure, nor local rules for District Court of Nebraska, authorizes an individual to bring disbarment action). Eaton's complaint of professional misconduct "merely supplied information for the

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<sup>1</sup>The Honorable Richard H. Battey, Chief Judge, United States District Court for the District of South Dakota.

court's consideration"; thus he also lacks standing to appeal the District Court's decision not to discipline the attorney. See id. (cited case omitted).

Accordingly, the appeal is dismissed for lack of jurisdiction.

A true copy.

Attest:

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