

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 97-4346

Kenneth Lee Derring,

Appellant,

v.

R. D. Bailey, Lieutenant, Maximum
Security Unit, Arkansas Department
of Correction,

Appellee.

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* Appeal from the United States

* District Court for the

* Eastern District of Arkansas.

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[UNPUBLISHED]

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Submitted: March 3, 1998

Filed: March 5, 1998

Before BOWMAN, WOLLMAN, and MORRIS SHEPPARD ARNOLD, Circuit
Judges.

PER CURIAM.

Arkansas inmate Kenneth Lee Derring appeals the district court's¹ order dismissing, without prejudice, his 42 U.S.C. § 1983 action. Having carefully reviewed the record, we conclude the district court's decision was correct. See Prison Litigation

¹The Honorable Susan Webber Wright, United States District Judge for the Eastern District of Arkansas.

Reform Act of 1995, Pub. L. No. 104-134, § 803(d), 110 Stat. 1321-66, 1321-71 (1996) (codified at 42 U.S.C.A. § 1997e(a) (West Supp. 1997)) (“No action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner . . . until such administrative remedies as are available are exhausted”). Accordingly, we affirm. See 8th Cir. R. 47A(a).

A true copy.

Attest:

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