

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 98-1538

Larry Dean: Vogt, Private Citizen, *

Appellant, *

v. *

W.J. Fitzgerald, President, Commercial *

Federal Bank; William Pfeiffer, *

Attorney; Melvin Katskee, Attorney; *

Scott Schmidt, Commercial Federal; *

Donald R. Sievers, First Bank System; *

Jane H. Prochaska, Judge; W.H. *

Jackson, Deputy; Michael Finney, *

Executive Editor, Omaha World *

Herald; Bill Strausburg, CEO, First *

Bank; Kelle Jayne Westland, Attorney; *

Thomas F. Hoarty, Jr.; J.A. Ostrowski, *

Trustee; Timothy F. Dunning, Sheriff; *

Greg Clemens, Deputy Sheriff; *

Lawrence E. Barrett, Judge; Steven *

O'Connor, *

Appellees. *

Appeal from the United States
District Court for the
District of Nebraska.

[UNPUBLISHED]

Submitted: July 21, 1998

Filed: July 27, 1998

Before WOLLMAN, HANSEN, and MURPHY, Circuit Judges.

PER CURIAM.

’¹ order granting defendants
ate motions to dismiss his action. Having carefully reviewed the record and the
rties’ submissions on appeal, we conclude that dismissal was appropriate and w
affirm on the basis of the district court’s opinion. ___ 8th Cir. R. 47B.

stitutionally
nt right to a jury trial, ___ _____, 911
is not erroneous
recluding a jury trial”), _____, 499
920 (1991); and that the magistrate judge §
636(b)(1)(A) (judge may designate magistrate judge to hear a
before court except, among others, motion to dismiss for failure to state claim upo
which relief may be granted). Finally, we deny Vogt’s request for initial en ban
review.

A true copy.

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

¹ Honorable William G. Cambridge, Chief Judge, United States District
Court for the District of Nebraska.

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District of Nebraska.

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