

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 97-3413

Stetson Geiger; Marilyn Geiger,

Appellants,

v.

City of Oppelo; Herschell Payne;
Jeannie Andrews,

Appellees.

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Appeal from the United States
District Court for the
Eastern District of Arkansas.

[UNPUBLISHED]

Submitted: September 18, 1998

Filed: September 23, 1998

Before McMILLIAN, RICHARD S. ARNOLD, and MORRIS SHEPPARD
ARNOLD, Circuit Judges.

PER CURIAM.

Stetson and Marilyn Geiger, husband and wife, appeal from district court's¹ entry of summary judgment in favor of the City of Oppelo, Arkansas, and its mayor and city clerk/recorder, in this action raising claims under 42 U.S.C. §§ 1983, 1985, and 1986, and also under state law. Upon a thorough review of the record and the parties'

¹The Honorable William R. Wilson, Jr., United States District Judge for the Eastern District of Arkansas.

submissions on appeal, we affirm the judgment in favor of defendants on the federal claims. We construe the court's order to have dismissed the state claims without prejudice under 28 U.S.C. § 1367, and affirm that ruling as well. See 28 U.S.C. § 1367(d) (tolling period of limitations for state law claims while claims are pending and for 30 days after dismissal or longer period if provided by state law).

Accordingly, we affirm. See 8th Cir. R. 47B.

A true copy.

Attest:

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