

**CONFIDENTIAL -- NOT FOR PUBLIC RELEASE**  
**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 97-4124

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Michael D. Ashby, also known  
as Michael Y. Ashraf,

Appellant,

v.

Frank Woods; Jim Zellmer; Dennis  
Benson; Eric Skon; Tim Lanz;  
Virginia Levasseur,

Appellees.

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\* Appeal from the United States  
\* District Court for the  
\* District of Minnesota.

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\* [UNPUBLISHED]  
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Submitted: November 4, 1998  
Filed: November 16, 1998

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

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PER CURIAM.

Michael Ashby, a Minnesota inmate currently incarcerated at a Florida facility pursuant to an Interstate Corrections Compact, Minn. Stat. § 241.28-.30 (1992), appeals the District Court's<sup>1</sup> adverse grant of summary judgment in his 42 U.S.C.

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<sup>1</sup>The Honorable Ann D. Montgomery, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable

§ 1983 lawsuit. After carefully reviewing the record and the parties' submissions, we affirm the judgment of the District Court for the reasons set forth in the magistrate judge's thorough report and recommendation adopted by the District Court. See 8th Cir. R. 47B.

A true copy.

Attest:

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

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Raymond L. Erickson, United States Magistrate Judge for the District of Minnesota.