

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 98-2514

Herbert Phillip Malone,

Appellant,

v.

Brent Scott, Infirmery Manager,
Cummins Unit, Arkansas Department
of Correction; Mary Wyatt, Infirmery
Records Supervisor, Cummins Unit,
Arkansas Department of Correction,

Appellees.

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

[UNPUBLISHED]

Submitted: May 6, 1999
Filed: May 11, 1999

Before WOLLMAN, Chief Judge, RICHARD S. ARNOLD, and BEAM, Circuit
Judges.

PER CURIAM.

Herbert P. Malone appeals the judgment of the district court¹ dismissing his 42
U.S.C. § 1983 action following a jury verdict in favor of defendants. Upon careful

¹The Honorable Henry L. Jones, Jr., United States Magistrate Judge for the
Eastern District of Arkansas, to whom the case was referred for final disposition by
consent of the parties pursuant to 28 U.S.C. § 636(c).

review of Malone's brief and the record, we conclude that his arguments either are unreviewable because he did not provide a trial transcript, see Fed. R. App. P. 10(b); Van Treese v. Blome, 7 F.3d 729, 729 (8th Cir. 1993) (per curiam), or are meritless. We also deny his motion for a remand. Accordingly, we affirm. See 8th Cir. R. 47B.

A true copy.

Attest:

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