

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

No. 98-3773

Peter J. Grzeskowiak,

Appellant,

v.

Pamela Stall,

Appellee.

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

[UNPUBLISHED]

Submitted: May 6, 1999

Filed: May 18, 1999

Before FAGG, HANSEN, and MORRIS SHEPPARD ARNOLD, Circuit Judges.

PER CURIAM.

Peter J. Grzeskowiak, a Minnesota prisoner, appeals the district court's¹ order dismissing without prejudice his 42 U.S.C. § 1983 action, in which he claimed that the court reporter in his state criminal trial falsified the trial transcript. Upon a thorough review of the record and Mr. Grzeskowiak's brief, we conclude that the court properly dismissed the complaint under 28 U.S.C. § 1915A(b)(1) (prisoner's complaint should

¹The Honorable Richard H. Kyle, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Arthur J. Boylan, United States Magistrate Judge for the District of Minnesota.

be dismissed if it is frivolous, malicious, or fails to state claim for which relief can be granted).

Accordingly, we affirm for the reasons stated by the district court. See 8th Cir. R. 47B.

A true copy.

Attest:

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