

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

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No. 04-4102

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Kenneth Lamar Turner,

Appellant,

v.

Eddie Jimmerson, Sgt., East Arkansas  
Regional Unit, ADC (originally sued  
as E. Jimmerson); Moses Jackson,  
Captain, East Arkansas Regional Unit,  
ADC (originally sued as M. Jackson),

Appellees.

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\* Appeal from the United States  
\* District Court for the  
\* Eastern District of Arkansas.  
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\* [UNPUBLISHED]  
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Submitted: May 23, 2005

Filed: May 24, 2005

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Before BYE, RILEY, and COLLOTON, Circuit Judges.

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PER CURIAM.

Kenneth L. Turner appeals the district court's<sup>1</sup> dismissal of his action filed pursuant to 42 U.S.C. § 1983 for failure to state a claim. After de novo review of the

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<sup>1</sup>The Honorable Susan Webber Wright, Chief Judge, United States District Court for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable H. David Young, United States Magistrate Judge for the Eastern District of Arkansas.

record, see Springdale Educ. Ass'n v. Springdale Sch. Dist., 133 F.3d 649, 651 (8th Cir. 1998), we conclude dismissal was proper for the reasons stated by the district court. Accordingly, we affirm. See 8th Cir. R. 47B.

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