

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 11-1988

Jim Leroy Housley,

Appellant,

v.

Ray Hobbs, Director,
Arkansas Department of Correction,

Appellee.

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

[UNPUBLISHED]

Submitted: August 23, 2011

Filed: August 30, 2011

Before MURPHY, ARNOLD, and BENTON, Circuit Judges.

PER CURIAM.

In this 42 U.S.C. § 1983 action, former Arkansas inmate Jim Housley appeals the district court's¹ adverse grant of summary judgment and denial of his motion to amend his complaint, which he filed after the summary judgment motion had been filed.

¹The Honorable Susan Webber Wright, United States District Judge for the Eastern District of Arkansas, adopting the report and recommendations of the Honorable Beth Deere, United States Magistrate Judge for the Eastern District of Arkansas.

After careful de novo review of the district court's summary judgment decision, see McKenney v. Harrison, 635 F.3d 354, 358 (8th Cir. 2011) (standard of review), we find no basis for reversal, see Davidson & Assocs. v. Jung, 422 F.3d 630, 638 (8th Cir. 2005) (plaintiff may not merely point to unsupported self-serving allegations, but must substantiate allegations with sufficient probative evidence that would permit finding in his favor). We also conclude that the district court did not abuse its discretion in denying Housley's motion to amend his complaint, in which he sought leave to add parties and new theories of recovery. See Popoalii v. Corr. Med. Servs., 512 F.3d 488, 497 (8th Cir. 2008) (standard of review; when late-tendered amendments involve new theories of recovery and impose additional discovery requirements, appellate courts are less likely to hold a district court abused its discretion).

Accordingly, we affirm the district court's judgment. See 8th Cir. R. 47B.
