

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

No. 01-1161

Ellery Cole,

Appellant,

v.

Winebrenner, COII; Sandra Jimmerson,
Acting FUM; Mike Tagger, AHO;
Vaughn, COII,

Appellees.

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* Appeal from the United States
* District Court for the Western
* District of Missouri.
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* [UNPUBLISHED]
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Submitted: July 26, 2001

Filed: August 2, 2001

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

PER CURIAM.

Missouri prisoner Ellery Cole appeals the district court's¹ adverse grant of summary judgment in his 42 U.S.C. § 1983 action, alleging that defendants failed to

¹The Honorable Scott O. Wright, United States District Judge for the Western District of Missouri, adopting the report and recommendations of the Honorable William A. Knox, United States Magistrate Judge for the Western District of Missouri.

protect him from inmate attacks, and that the discipline they imposed for his possession of a weapon in self-defense violated his right to procedural due process. After careful de novo review of the record, we conclude that the district court did not err in rejecting either claim.

Accordingly, we affirm. See 8th Cir. R. 47B.

A true copy.

Attest:

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