

United States Court of Appeals
For the Eighth Circuit

No. 17-2154

James Jackson

Plaintiff - Appellant

v.

Lt. Amie Santini, Federal Bureau of Prisons, FCI Sandstone, Sandstone, MN, in her individual capacity; Lt. Daniel Gravdahl, S.I.S., Federal Bureau of Prisons, FCI Sandstone, Sandstone, MN, in his individual capacity; Jake Bush, Paralegal, Federal Bureau of Prisons, FCI Sandstone, Sandstone, MN, in his individual capacity; Denese Wilson, Warden, Federal Bureau of Prisons, FCI Sandstone, Sandstone, MN, in her individual capacity

Defendants - Appellees

Appeal from United States District Court
for the District of Minnesota

Submitted: July 27, 2018
Filed: August 14, 2018
[Unpublished]

Before GRUENDER, KELLY, and GRASZ, Circuit Judges.

PER CURIAM.

Federal inmate James Jackson appeals after the district court's¹ dismissal without prejudice of his action brought under *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971), for failure to exhaust his administrative remedies. He also moves for leave to supplement his brief with an added citation.

We conclude that the requested brief supplement is permissible. We further conclude, upon careful de novo review, that the dismissal was proper. *See* 42 U.S.C. § 1997e(a) (exhaustion requirement); *King v. Iowa Dep't of Corr.*, 598 F.3d 1051, 1052-53 (8th Cir. 2010) (standard of review; exhaustion is precondition to inmate bringing suit in federal court); *Johnson v. Jones*, 340 F.3d 624, 627 (8th Cir. 2003) (under plain language of § 1997e(a), inmate must exhaust administrative remedies before filing suit in federal court, and if he has not done so, dismissal is mandatory).

Accordingly, we grant the pending motion, and we affirm, *see* 8th Cir. R. 47B.

¹The Honorable Patrick J. Schiltz, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Tony N. Leung, United States Magistrate Judge for the District of Minnesota.