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

No. 04-1520

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|---|---|---|
| Chris R. Krych, | * | |
| | * | |
| Appellant, | * | |
| | * | Appeal from the United States |
| Howard Lansing Hines; Robert Monge; | * | District Court for the |
| Emil Johnson; Wardell Hicks, and on | * | District of Minnesota. |
| behalf of all others similarly situated, | * | |
| | * | [UNPUBLISHED] |
| Plaintiffs, | * | |
| | * | |
| v. | * | |
| | * | |
| Wendell Anderson, individually and as | * | |
| Governor of the State of Minnesota; | * | |
| Kenneth Schoen, individually and as | * | |
| Corrections Commissioner for the State | * | |
| of Minnesota; Bruce McManus, | * | |
| individually and as Warden of the | * | |
| Minnesota State Prison; James Cicero, | * | |
| individually and as Medical Director of | * | |
| the Minnesota State Prison; Warren | * | |
| Lawson, individually and as Secretary | * | |
| and Executive Officer of the Minnesota | * | |
| State Board of Health, | * | |
| | * | |
| Appellees. | * | |

Submitted: November 5, 2004
Filed: November 16, 2004

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Before BYE, MELLOY, and COLLOTON, Circuit Judges.

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PER CURIAM.

Minnesota inmate Chris Krych, who is currently housed in the Administrative Control Unit of the Minnesota Correctional Facility-Oak Park Heights, appeals the district court's[1] denial of his motion for contempt, which he brought pursuant to a consent decree entered in Hines v. Anderson, 439 F. Supp. 12 (D. Minn. 1977).

Having carefully reviewed the record, we cannot say the district court abused its discretion in finding that the defendants substantially complied with the Hines decree, and thus in denying Krych's contempt motion. See Wycoff v. Hedgepeth, 34 F.3d 614, 616 (8th Cir. 1994) (standard of review; substantial, good-faith compliance is defense).

Accordingly, we affirm. See 8th Cir. R. 47A(a). We also deny Krych's motion for release.

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[1]The Honorable Michael J. Davis, 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.



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