

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

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No. 07-3906

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Billy Roy Tyler,

Appellant,

v.

George Green, legal counsel  
4 Nebraska Department of  
Correction (NDCS); Randy  
Crosby; Unknown Krantz, ?,  
Investigator 4 Nebraska State  
Patrol; Esther Casmer; Richard  
Gatto; Dennis Bakewell; Robert  
Houston; John Doe, Nebraska  
State Patrol Investigator,

Appellees.

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\* Appeal from the United States  
\* District Court for the  
\* District of Nebraska.

\* [UNPUBLISHED]

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Submitted: April 28, 2009  
Filed: May 13, 2009

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Before WOLLMAN, MURPHY, and MELLOY, Circuit Judges.

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PER CURIAM.

Billy Roy Tyler appeals after the district court<sup>1</sup> dismissed his 42 U.S.C. § 1983 complaint under Federal Rule of Civil Procedure 12(b)(6) and 28 U.S.C.

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<sup>1</sup>The Honorable Laurie Smith Camp, United States District Judge for the District of Nebraska.

§ 1915(e)(2)(B)(ii). Having carefully reviewed the record and considered Tyler's appellate arguments, we find no basis for reversal. See Levy v. Ohl, 477 F.3d 988, 991 (8th Cir. 2007) (appellate court reviews de novo district court's Rule 12(b)(6) dismissal, assuming as true all complaint allegations); Moore v. Sims, 200 F.3d 1170, 1171 (8th Cir. 2000) (per curiam) (appellate court reviews de novo district court's § 1915(e)(2)(b) dismissal). Accordingly, we affirm. See 8th Cir. R. 47B.

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