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Submitted: November 23, 2009  
Filed: November 27, 2009

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Before BYE, BOWMAN, and BENTON, Circuit Judges.

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PER CURIAM.

Tony Nenninger appeals from the order of the District Court<sup>1</sup> granting defendants' motion to dismiss or, in the alternative, for summary judgment in his action under Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971), and the court's subsequent order denying his motion to amend the judgment. Having carefully reviewed the record and Nenninger's arguments, we conclude that the District Court did not err in granting defendants' motion and did not abuse its discretion in denying Nenninger's motion to amend. See Franklin v. Local 2 of the Sheet Metal Workers Int'l Ass'n, 565 F.3d 508, 520 (8th Cir. 2009) (noting that order granting summary judgment is reviewed de novo on appeal); Taxi Connection v. Dakota, Minn. & E. R.R. Corp., 513 F.3d 823, 825 (8th Cir. 2008) (noting that order granting motion to dismiss is reviewed de novo on appeal); United States v. Metro. St. Louis Sewer Dist., 440 F.3d 930, 933 (8th Cir. 2006) (noting that order denying motion under Rule 59(e) of the Federal Rules of Civil Procedure is reviewed for clear abuse of discretion on appeal). Accordingly, we affirm. We also deny Nenninger's pending motion to schedule oral argument.

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<sup>1</sup>The Honorable Jimm Larry Hendren, Chief Judge, United States District Court for the Western District of Arkansas.