

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 05-1470

Roger Thomas Sizer,

Appellant,

v.

County of Hennepin; Patrick D.
McGowan; Michele Smolley,
Chief Deputy; Thomas Merkel,
Inspector; Richard Estensen, Former
Inspector,

Appellees.

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Appeal from the United States
District Court for the
District of Minnesota.
[UNPUBLISHED]

Submitted: December 14, 2005
Filed: January 19, 2006

Before BYE, BOWMAN, and GRUENDER, Circuit Judges.

PER CURIAM.

Roger Thomas Sizer sued Hennepin County and certain county officials under 42 U.S.C. § 1983 alleging his federal constitutional rights were violated due to a ten-hour period of detention in the Hennepin County Adult Detention Center (ADC) after Sizer posted bail. The district court¹ granted Hennepin County's motion for summary

¹The Honorable Donovan W. Frank, United States District Judge for the District of Minnesota.

judgment after concluding the length of the delay was objectively reasonable and not unconstitutional. Sizer filed a timely appeal.

We are guided and controlled in our disposition of this case by several recent decisions involving similar challenges to the outprocessing procedures at the ADC, some of which involved a longer period of detention than the period of detention at issue in this case. See Lund v. Hennepin County, 427 F.3d 1123 (8th Cir. 2005); Russell v. Hennepin County, 420 F.3d 841 (8th Cir. 2005); Golberg v. Hennepin County, 417 F.3d 808 (8th Cir. 2005); Luckes v. County of Hennepin, 415 F.3d 936 (8th Cir. 2005); Stepnes v. Hennepin County, No. 05-2059, 2005 WL 3113440 (8th Cir. Nov. 22, 2005) (unpublished); and Killingham v. County of Hennepin, No. 04-3216, 2005 WL 2807117 (8th Cir. Oct. 28, 2005) (unpublished). All of the issues raised by Sizer were addressed and decided in Hennepin County's favor in one or more of the above cases. We therefore affirm the judgment of the district court in favor of Hennepin County in this case.
