

United States Court of Appeals
For the Eighth Circuit

No. 22-1343

Timothy Joseph Carroll,

Plaintiff - Appellant,

v.

Chris Luebe; Leon Chapmen; Hunter Lewis; James Johnson; Edgar Olivan; Corey Black; Julie Batenhorst; Joy Johnson, Nurse; Kain Sparr; Mike Mejsstrik; Verlin Redlinger; Cheryl Heiman; Chris Neuhaus; Ray Winter; Dr. Juvet Che; Andrew Corbin; Tyler Stender; Kolton Neuhaus,

Defendants - Appellees.

Appeal from United States District Court
for the District of Nebraska - Omaha

Submitted: August 22, 2022
Filed: August 25, 2022
[Unpublished]

Before COLLOTON, GRUENDER, and BENTON, Circuit Judges.

PER CURIAM.

Timothy Carroll, an involuntarily committed patient in a sex offender treatment program at Norfolk Regional Center in Nebraska, appeals an order of the district

court¹ dismissing his action brought under 42 U.S.C. § 1983. Upon careful de novo review, we agree with the district court that the complaint did not sufficiently allege which, if any, defendants knew there was a substantial risk of serious harm to Carroll, and did not allege specific facts indicating how the defendants responded unreasonably to the risk. *See Nelson v. Shuffman*, 603 F.3d 439, 446-47 & n.3 (8th Cir. 2010); *Keeper v. King*, 130 F.3d 1309, 1314 (8th Cir. 1997); *Martin v. Sargent*, 780 F.2d 1334, 1337 (8th Cir. 1985). We conclude that the district court did not abuse its discretion in denying Carroll’s post-judgment motion for reconsideration, as he did not explain why he had not been able to complete the amended complaint by the extended deadline or otherwise show exceptional circumstances warranting relief under Fed. R. Civ. P. 59(e). *See Alleruzzo v. SuperValu, Inc. (In re SuperValu, Inc.)*, 925 F.3d 955, 962 (8th Cir. 2019); *Ryan v. Ryan*, 889 F.3d 499, 507-08 (8th Cir. 2018). Accordingly, we affirm. *See* 8th Cir. R. 47B.

¹The Honorable John M. Gerrard, United States District Judge for the District of Nebraska.