

United States Court of Appeals
For the Eighth Circuit

No. 23-3496

Wyatt W. Rasmussen

Plaintiff - Appellant

v.

Dustin Baxter, in his official capacity; Brandon Fleagle, in his official capacity

Defendants - Appellees

Appeal from United States District Court
for the District of South Dakota - Central

Submitted: June 13, 2024

Filed: June 21, 2024

[Unpublished]

Before SMITH, SHEPHERD, and ERICKSON, Circuit Judges.

PER CURIAM.

Wyatt Rasmussen appeals following the district court's¹ adverse grant of summary judgment in his pro se 42 U.S.C. § 1983 action. On appeal, he challenges

¹The Honorable Roberto Lange, Chief Judge, United States District Court for the District of South Dakota.

the denial of his motion seeking a court-appointed expert to review police audio footage for alteration. We conclude the district court did not abuse its discretion in denying his request. See Fed. R. Evid. 706(a) (permitting court to appoint its own expert witness); see also Petrone v. Werner Enters., Inc., 42 F.4th 962, 969 (8th Cir. 2022) (recognizing district court's discretion under Rule 706 to appoint expert). Accordingly, we affirm. See 8th Cir. R. 47B.
