

United States Court of Appeals
For the Eighth Circuit

No. 24-1138

Kenneth Daywitt

Plaintiff - Appellant

David Jannetta

Plaintiff

Steven Hogs

Plaintiff - Appellant

Merlin Adolphson

Plaintiff

Michael Whipple; Peter Lonergan, and others similarly situated; Russell Hatton

Plaintiffs - Appellants

v.

Jodi Harpstead, DHS Commissioner; in their individual and official capacities; Marshall Smith, in their individual and official capacities; Nancy Johnston, in their individual and official capacities; Jim Berg, in their individual and official capacities; Jannine Hebert, in their individual and official capacities; Kevin Moser, in their individual and official capacities; Terry Kniesel, in their individual and official capacities; Raymond Ruotsalainen, in their individual and official capacities

Defendants - Appellees

Appeal from United States District Court
for the District of Minnesota

Submitted: September 12, 2024
Filed: September 19, 2024
[Unpublished]

Before BENTON, KELLY, and ERICKSON, Circuit Judges.

PER CURIAM.

The district court¹ granted summary judgment in favor of defendants in this 42 U.S.C. § 1983 action brought by civilly committed detainees in the Minnesota Sex Offender Program. After careful review of the record and the parties' arguments on appeal, we conclude that the district court, in its thorough and well-reasoned opinion, properly granted summary judgment. See Morris v. Craddock, 954 F.3d 1055, 1058 (8th Cir. 2020) (reviewing grant of summary judgment de novo). We also conclude that the district court did not abuse its discretion in granting defendants' motion to exclude expert testimony. See Lancaster v. BNSF Ry. Co., 75 F.4th 967, 969 (8th Cir. 2023) (standard of review). Accordingly, we affirm. See 8th Cir. R. 47B.

¹The Honorable Nancy E. Brasel, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Elizabeth Cowan Wright, United States Magistrate Judge for the District of Minnesota.