

United States Court of Appeals
For the Eighth Circuit

No. 25-3244

Quinn Ngiendo

Plaintiff - Appellant

v.

Hemlata H. Masiti, also known as Hemlata H. Bhatt; Salvation Army Northern
Division of North Dakota and Minnesota

Defendants - Appellees

Appeal from United States District Court
for the District of Minnesota

Submitted: September 29, 2026
Filed: October 2, 2026
[Unpublished]

Before LOKEN, KELLY, and JUSTIN D. SMITH, Circuit Judges.

PER CURIAM.

Quinn Ngiendo, proceeding pro se, appeals after the district court¹ dismissed her 42 U.S.C. § 1983 action.

After careful review, we conclude that the district court did not abuse its discretion by denying Ngiendo's motion for leave to file a third amended complaint. See Muff v. Wells Fargo Bank NA, 71 F.4th 1094, 1099 (8th Cir. 2023) (standard of review; court need not evaluate futility if plaintiff failed to offer a proposed amended complaint); Pet Quarters, Inc. v. Depository Tr. & Clearing Corp., 559 F.3d 772, 782 (8th Cir. 2009) (leave to amend is inappropriate "where the plaintiff has not indicated how it would make the complaint viable"); Knowles v. TD Ameritrade Holding Corp., 2 F.4th 751, 758 (8th Cir. 2021) (district court did not abuse its discretion in dismissing complaint with prejudice rather than granting leave to amend where plaintiff had been allowed to amend complaint multiple times and was still unable to plead adequate claims).

In addition, we deny Ngiendo's motion to file an untimely and overlength reply brief. See Fed. R. App. P. 32(a)(7)(A)-(B) (limiting length for reply briefs); 8th Cir. R. 28A(*l*) (motions for leave to file overlength briefs will be granted only in extraordinary cases); see also Brown v. Frey, 806 F.2d 801, 804 (8th Cir. 1986) (pro se litigants are not excused from compliance with substantive and procedural law). Even if Ngiendo had timely and properly challenged whether her second amended complaint stated a claim, see Chay-Velasquez v. Ashcroft, 367 F.3d 751, 756 (8th Cir. 2004) (claim is waived on appeal where it is not meaningfully argued in opening brief), the dismissal of that complaint was proper, see Knowles, 2 F.4th at 755, 758 (standard of review); Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009) (complaint must

¹The Honorable Jerry W. Blackwell, United States District Judge for the District of Minnesota.

allege sufficient factual matter to state a claim that is plausible on its face; mere conclusory statements do not suffice); Stone v. Harry, 364 F.3d 912, 914 (8th Cir. 2004) (although pro se complaints are construed liberally, they still must allege sufficient facts to support claims advanced).

The judgment is affirmed. See 8th Cir. R. 47B.
