

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 17-1479

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Jeffery Kemp

*Plaintiff - Appellant*

v.

Waterloo Police Department; Andrea Frana, Waterloo Police Officer; Bill Herkelman, Waterloo Police Officer; Adam Liddle, Waterloo Police Officer; Kye Richter, Waterloo Police Officer; Nicholas Sadd, Waterloo Police Officer; Brice Lippert, Waterloo Police Officer; David McFarland, Waterloo Police Officer; Chris Gergen, Waterloo Police Officer; Michael Rasmussen, Waterloo Police Officer; Eryn Hageman, Waterloo Police Officer; Kerry Devine, Waterloo Police Officer; Greg Fangman, Waterloo Police Officer; Melissa Ludwig, Waterloo Police Officer

*Defendants - Appellees*

Black Hawk County Jail; Mark Herbst; Tony Thompson; Brad Walz; Warden of Black Hawk County Jail

*Defendants*

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Appeal from United States District Court  
for the Northern District of Iowa - Waterloo

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Submitted: October 27, 2017

Filed: November 1, 2017

[Unpublished]

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Before WOLLMAN, GRUENDER, and BENTON, Circuit Judges.

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PER CURIAM.

Inmate Jeffery Kemp appeals after the district court<sup>1</sup> granted him leave to proceed *in forma pauperis* and dismissed his 42 U.S.C. § 1983 complaint. In prior proceedings in this court, several defendants were dismissed from this appeal. As to the remaining defendants, all of whom allegedly engaged in an improper investigation leading to Kemp's arrest, we agree with the district court that Kemp failed to state a claim on which relief could be granted. *See Amrine v. Brooks*, 522 F.3d 823, 833-34 (8th Cir. 2008) (discussing the requirements for establishing a substantive due process claim based on an allegedly improper investigation); *see also* 28 U.S.C. § 1915(e)(2)(B)(ii) (requiring dismissal in an *in forma pauperis* matter if, at any time, the court determines that the action fails to state a claim on which relief may be granted).

Accordingly, we affirm. *See* 8th Cir. R. 47B.

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<sup>1</sup>The Honorable Linda R. Reade, United States District Judge for the Northern District of Iowa.