

United States Court of Appeals  
For the Eighth Circuit

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No. 19-1019

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John M. Carter, and on behalf of others Similarly situated

*Plaintiff - Appellant*

v.

William Muldoon, individual capacity; Dave Stolz, individual capacity; Nebraska  
Law Enforcement Training Center; Does 1-25 inclusive

*Defendants - Appellees*

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

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Submitted: October 11, 2019  
Filed: October 18, 2019  
[Unpublished]

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Before LOKEN, WOLLMAN, and KELLY, Circuit Judges.

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PER CURIAM.

In this civil rights action, John M. Carter appeals following the district court's<sup>1</sup>  
adverse grant of summary judgment. Viewing the record in a light most favorable to

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<sup>1</sup>The Honorable Laurie Smith Camp, United States District Judge for the  
District of Nebraska.

Carter, we find that the district court properly granted summary judgment to defendants William Muldoon and Dave Stolz in their individual capacities based on a determination that they were entitled to qualified immunity. See Clark v. Clark, 926 F.3d 972, 977 (8th Cir. 2019) (de novo review). We also find no abuse of discretion in the district court’s denial of Carter’s motion for recusal. See Fletcher v. Conoco Pipe Line Co., 323 F.3d 661, 664 (8th Cir. 2003) (judge is presumed impartial, and party seeking recusal bears substantial burden of showing otherwise); Moran v. Clarke, 296 F.3d 638, 648 (8th Cir. 2002) (en banc) (standard of review). The judgment is affirmed, see 8th Cir. R. 47B; and Carter’s motion to supplement the record is denied.

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