NONPRECEDENTIAL DISPOSITION
To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

Submitted November 21, 2023*
Decided November 21, 2023

Before

FRANK H. EASTERBROOK, *Circuit Judge*

MICHAEL B. BRENNAN, *Circuit Judge*

THOMAS L. KIRSCH II, *Circuit Judge*

No. 22-2041

JILL OTIS,
Plaintiff-Appellant,

v.

MARIE FROH,
Defendant-Appellee.

Appeal from the United States District Court for the Eastern District of Wisconsin.

No. 20-CV-1711-JPS

J. P. Stadtmueller,
Judge.

O R D E R

Jill Otis appeals the dismissal of her suit alleging that, over six years before she sued, a county worker violated her constitutional rights by taking custody of her minor

* We have agreed to decide the case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C). In the briefs on appeal, the appellee is referred to as both "Marie Froh" and "Marie Flos," but in her disclosure statement the appellee says that she is "more properly identified as Marie Froh"; we thus use "Marie Froh" in the caption.

son. The dismissal was based on the expiration of the statute of limitations. Because Otis does not challenge this reason for her adverse judgment, we dismiss the appeal.

Otis sued the State of Wisconsin, Racine County, and one of its employees, Marie Froh, alleging that over six years earlier they unlawfully took and retained custody of her minor child. A magistrate judge, proceeding with the parties' consent under 28 U.S.C. § 636(c), dismissed the state and county defendants and allowed Otis to proceed against Froh under 42 U.S.C. § 1983. Froh moved to dismiss. She contended that the relevant statute of limitations had expired when Otis sued on November 13, 2020. The district court agreed. It ruled that Otis had reason to know about her claim on September 17, 2014—the date Froh took her son. *See Milchtein v. Milwaukee County*, 42 F.4th 814, 822 (7th Cir. 2022). And, the court added, whether it borrowed Wisconsin's prior statute of limitations (six years) or its current statute (three years) for her § 1983 claims, Otis's suit was unquestionably time-barred. *See* Wis. Stat. Ann. § 893.53.

The court allowed Otis to amend the complaint, but she never did. It thought that Otis might have been attempting to sue on behalf of her son, who had reunited with his mother and was now over 18. It gave her 21 days either to amend her complaint to clarify that she was asserting a representative claim on behalf of her son, or to have her son seek to substitute as the plaintiff. *See* FED. R. CIV. P. 17(a)(3). Otis did not amend her complaint, and her son did not sign any filing attempting to substitute himself as the plaintiff. The court, therefore, entered the judgment of dismissal.

On appeal, Otis does not contest the correctness of the district court's conclusion that her suit is time-barred, let alone cite any case law or legal argument that would cast doubt on the ruling. She merely repeats the allegations in her complaint that Froh wrongly deprived her of custody of her son. Although we construe pro se briefs generously, an appellate brief must contain an argument challenging the district court's reason for dismissal and support that argument. *See* FED. R. APP. P. 28(a)(8)(A); *Anderson v. Hardman*, 241 F.3d 544, 545–46 (7th Cir. 2001). But an appellate brief like Otis's "that does not even try to engage the reasons the appellant lost has no prospect of success," *Klein v. O'Brien*, 884 F.3d 754, 757 (7th Cir. 2018), and must therefore be dismissed, *Anderson*, 241 F.3d at 545–46.

DISMISSED