

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 05-1977

Thomas Patrick Heryla,

Appellant,

v.

Hennepin County, Minnesota;
Patrick D. McGowan, Sheriff;
Michele Smolley, Chief Deputy;
Thomas Merkel, Inspector;
Richard Estensen, Former
Inspector, officially and individually,

Appellees.

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* Appeal from the United States
* District Court for the
* District of Minnesota.
* [UNPUBLISHED]
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Submitted: December 15, 2005

Filed: January 19, 2006

Before **BYE**, **BOWMAN**, and **GRUENDER**, Circuit Judges.

PER CURIAM.

Thomas Patrick Heryla sued Hennepin County and certain county officials under 42 U.S.C. § 1983 alleging his federal constitutional rights were violated due to a twenty-one-and-a-half-hour period of detention in the Hennepin County Adult

Detention Center (ADC) while Heryla was being booked. The district court¹ granted Hennepin County's motion for summary judgment after concluding the length of the delay was reasonable and the defendants' conduct was neither deliberately indifferent to Heryla's constitutional rights nor conscience shocking. Heryla filed a timely appeal.

We are guided and controlled in our disposition of this case by several recent decisions involving similar challenges to the processing procedures at the ADC, some of which involved a longer period of detention than the period of detention at issue in this case. See Lund v. Hennepin County, 427 F.3d 1123 (8th Cir. 2005); Russell v. Hennepin County, 420 F.3d 841 (8th Cir. 2005); Golberg v. Hennepin County, 417 F.3d 808 (8th Cir. 2005); Luckes v. County of Hennepin, 415 F.3d 936 (8th Cir. 2005); Stepnes v. Hennepin County, No. 05-2059, 2005 WL 3113440 (8th Cir. Nov. 22, 2005) (unpublished); and Killingham v. County of Hennepin, No. 04-3216, 2005 WL 2807117 (8th Cir. Oct. 28, 2005) (unpublished). All of the issues raised by Heryla were addressed and decided in Hennepin County's favor in one or more of the above cases. We therefore affirm the judgment of the district court in favor of Hennepin County in this case.

¹The Honorable John R. Tunheim, United States District Judge for the District of Minnesota.