

United States Court of Appeals  
For the Eighth Circuit

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No. 12-1706

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Kyle Greene

*Plaintiff - Appellant*

v.

Candee S. Gassman; Elizabeth W. Cummins; Eric S. Oelrich; Kristi Stanislawska;  
Judge Steven E. Drange; Judge Vicki E. Landwehr; Meeker County, Minnesota;  
Stearns County, Minnesota; Eric Boucher

*Defendants - Appellees*

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Appeal from United States District Court  
for the District of Minnesota - Minneapolis

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Submitted: October 5, 2012  
Filed: October 23, 2012  
[Unpublished]

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Before WOLLMAN, MELLOY, and SHEPHERD, Circuit Judges.

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PER CURIAM.

In this civil rights action against multiple defendants, Kyle Greene appeals after the district court<sup>1</sup> granted motions to dismiss and for summary judgment prior to discovery, and denied Greene's motions to amend his complaint.

Upon careful review of the record and the parties' arguments on appeal, we agree with the district court's disposition of the case. See, e.g., Schoelch v. Mitchell, 625 F.3d 1041, 1045 (8th Cir. 2010) (de novo review of grant of summary judgment); Ballard v. Heineman, 548 F.3d 1132, 1136 (8th Cir. 2008) (discovery does not need to be completed before court grants summary judgment); In re NVE Corp. Sec. Litig., 527 F.3d 749, 752 (8th Cir. 2008) (de novo review of denial of motion to amend complaint based on futility); Janis v. Biesheuvel, 428 F.3d 795, 800 (8th Cir. 2005) (purpose of qualified immunity is to avoid subjecting government officials to costs of trial or burdens of broad-reaching discovery; unless plaintiff's allegations state claim for violation of clearly established law, defendant seeking qualified immunity is entitled to dismissal before commencement of discovery).

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

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<sup>1</sup>The Honorable Patrick J. Schiltz, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Tony N. Leung, United States Magistrate Judge for the District of Minnesota.