

United States Court of Appeals
For the Eighth Circuit

No. 14-2012

Peter Rickmyer

Plaintiff - Appellant

v.

Michael (Kip) Browne; Megan Goodmundson; Dan Rother; Robert Hodson; John George Hubbard, II; Dave Haddy; Ann McCandless, in their individual capacities, and in their official capacities with Jordan Area Community Council, Inc.; David Schooler; John Willard Hoff, in their individual capacities

Defendants - Appellees

William McDonald, in his individual capacity

Defendant

Jordan Area Community Council, Inc.; John Does 1-5

Defendants - Appellees

No. 14-2013

Peter Rickmyer

Plaintiff - Appellant

v.

Michael (Kip) Browne; Megan Goodmundson; Dan Rother; Robert Hodson; John George Hubbard, II; Dave Haddy; Ann McCandless, in their individual capacities, and in their official capacities with Jordan Area Community Council, Inc.; David Schooler; John Willard Hoff, in their individual capacities

Defendants

William McDonald, in his individual capacity

Defendant - Appellee

Jordan Area Community Council, Inc.; John Does, 1-5

Defendants

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

Submitted: December 23, 2014
Filed: December 30, 2014
[Unpublished]

Before WOLLMAN, BYE, and MELLOY, Circuit Judges.

PER CURIAM.

In these consolidated appeals, Peter Rickmyer challenges the district court's¹ orders granting summary judgment in favor of defendant William McDonald,

¹The Honorable Susan Richard Nelson, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Leo I. Brisbois, United States Magistrate Judge for the District of Minnesota.

dismissing without prejudice the claims against defendant David Schooler, dismissing with prejudice the claims against all other defendants, denying leave to amend, and imposing sanctions in the amount of \$5,000 against him under Federal Rule of Civil Procedure 11.² After careful review, we affirm for the reasons stated by the district court. See 8th Cir. R. 47B. The pending motions are denied.

²We dismiss Appeal No. 14-2012 as premature because Rickmyer filed his notice of appeal before a final judgment was entered, and the merits of the appeal are before this court in Appeal No. 14-2013. See 28 U.S.C. § 1291 (appellate jurisdiction over final judgments); Hallquist v. United Home Loans, Inc., 715 F.3d 1040, 1044 (8th Cir. 2013) (court liberally construes notices of appeal and has jurisdiction over underlying order if appellant's intent to challenge it is clear, and adverse party will suffer no prejudice).