

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 14-3227

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Donald Butler

*Plaintiff - Appellant*

v.

City of Richfield, a municipal entity and political subdivision of the State of Minnesota; Steve Devich, City Manager of City of Richfield in his official and individual capacity; Jay Henthorne, Deputy Director/Deputy Chief of Richfield Police Department in his official and individual capacity; Sergeant Dave Kromschroeder, in his individual capacity as a Police Officer; Chief's Towing, Inc., contractual entity having authority to act for the City of Richfield in their official and individual capacities; John Conito, in his individual capacity; Jeff Scheonborn, Chief's Towing General Manager, in his official and individual capacity; Chris Link, Operations Superintendent City of Richfield in his official and individual capacity

*Defendants - Appellees*

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

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Submitted: May 28, 2015

Filed: May 29, 2015

[Unpublished]

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Before SHEPHERD, BYE, and KELLY, Circuit Judges.

PER CURIAM.

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Donald Butler appeals the district court's<sup>1</sup> Federal Rule of Civil Procedure 12(b)(6) dismissal of his 42 U.S.C. § 1983 action for failure to state a claim. We find no error in the district court's determination that Butler's factual allegations, assumed true, were insufficient to support the claims he advanced. See Hopkins v. City of Bloomington, 774 F.3d 490, 491-92 (8th Cir. 2014) (de novo review; pleading offering formulaic recitation of elements of cause or action or conclusions and labels will not suffice); Jackson v. Nixon, 747 F.3d 537, 544 (8th Cir. 2014) (pro se complaints are liberally construed). The judgment of the district court is affirmed. See 8th Cir. R. 47B.

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<sup>1</sup>The Honorable Ann D. Montgomery, United States District Judge for the District of Minnesota.