

United States Court of Appeals
For the Eighth Circuit

No. 14-3346

Laney Harris; Keith Bursey; Fred Bursey

Plaintiffs - Appellants

v.

City of Texarkana, A Public Body Corporate; N. Wayne Smith, Mayor of City of Texarkana, Arkansas, Individually and in His Official Capacities; Paul Hackelman, City of Texarkana, Arkansas Public Work Director, Individually and in His Official Capacity; Loyd Green; Bubba Green; Bubba Green Towing & Automotive Center; Nina Walker; Brenda Joyce Green, as Executrix of the Estate of Loyd Green

Defendants - Appellees

Appeal from United States District Court
for the Western District of Arkansas - Texarkana

Submitted: April 6, 2015
Filed: April 15, 2015
[Unpublished]

Before LOKEN, BOWMAN, and KELLY, Circuit Judges.

PER CURIAM.

Laney Harris, Keith Bursey, and Fred Bursey appeal following the district court's¹ adverse grant of summary judgment in their pro se 42 U.S.C. §§ 1983 and 1985 action raising claims arising from the towing and attempted towing of their vehicles from private property.

Upon careful de novo review, see Peterson v. Kopp, 754 F.3d 594, 598 (8th Cir. 2014) (review of summary judgment); Faibisch v. Univ. of Minn., 304 F.3d 797, 803 (8th Cir. 2002) (review of judgment on pleadings), we conclude that the district court properly dismissed the federal claims raised in the complaint. Among other reasons, appellants were not entitled to a pre-deprivation hearing or a court order before their vehicles could be removed from their properties, after the vehicles had been deemed abandoned under city ordinances. See Allen v. City of Kinloch, 763 F.2d 335, 336 (8th Cir. 1985). We reject as meritless appellants' contention that the district court failed to consider all of their federal claims, and we also conclude that the court properly acted within its discretion in declining supplemental jurisdiction over the pendent state-law claims and dismissing those pendent claims without prejudice. See 28 U.S.C. § 1367(c)(3).

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

¹The Honorable Susan O. Hickey, United States District Judge for the Western District of Arkansas.