

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

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No. 16-3671

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Brian Campbell

*Plaintiff - Appellant*

v.

City of Concordia; Concordia Police Department; Aaron Rucker, Police Officer;  
Jim Lynn, Police Chief

*Defendants - Appellees*

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Appeal from United States District Court  
for the Western District of Missouri - Kansas City

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Submitted: December 6, 2016

Filed: December 21, 2016

[Unpublished]

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Before SHEPHERD, BOWMAN, and KELLY, Circuit Judges.

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PER CURIAM.

Brian Campbell appeals after the District Court dismissed his pro se 42 U.S.C. § 1983 complaint for lack of subject matter jurisdiction. After careful review, we conclude that Campbell's claim that he was arrested without probable cause established a basis for jurisdiction. See 28 U.S.C. § 1331 ("The district courts shall

have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.”); 42 U.S.C. § 1983 (providing that every person acting under color of state law may be held liable for depriving another of constitutional rights); Hannah v. City of Overland, 795 F.2d 1385, 1389 (8th Cir. 1986) (“[A] warrantless arrest without probable cause violates an individual’s constitutional rights under the Fourth and Fourteenth Amendments.”). Accordingly, we reverse the dismissal of Campbell’s complaint, and we remand the case to the District Court for further proceedings. We also grant Campbell’s pending motion for leave to appeal in forma pauperis.

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