

United States Court of Appeals
For the Eighth Circuit

No. 18-1342

Rocky Thomas Traversie

Plaintiff - Appellant

v.

Matthew Starr; Matthew Hanisch; Dave Dunteman, police officers at Sioux Falls
Police Department, in their individual and official capacities

Defendants - Appellees

Appeal from United States District Court
for the District of South Dakota - Sioux Falls

Submitted: November 26, 2018
Filed: December 3, 2018
[Unpublished]

Before KELLY, GRASZ, and STRAS, Circuit Judges.

PER CURIAM.

Rocky Traversie appeals the district court's¹ rulings limiting discovery and the grant of summary judgment to three Sioux Falls Police Department officers on his excessive-force claims. We affirm the judgment of the district court. *See* 8th Cir. R. 47B.

We first conclude that the district court did not abuse its discretion in denying Traversie's discovery requests. *See Sheets v. Butera*, 389 F.3d 772, 780 (8th Cir. 2004) (explaining that an appellate court's review of discovery rulings is "very deferential" and that such rulings will not be reversed "absent a gross abuse of discretion resulting in fundamental unfairness" (citation omitted)). We also conclude that the police officers were entitled to qualified immunity on the summary-judgment record before the district court. *See Rohrbough v. Hall*, 586 F.3d 582, 585 (8th Cir. 2009) (explaining that a police officer is entitled to qualified immunity on an excessive-force claim "unless the evidence viewed favorably to [the plaintiff] supports a finding that [the officer's] conduct violated a constitutional right, and that constitutional right was so 'clearly established' at the time of the alleged violation that a reasonable officer would have known that his conduct was unlawful" (citation omitted)).

¹The Honorable Karen E. Schreier, United States District Judge for the District of South Dakota.