

United States Court of Appeals
For the Eighth Circuit

No. 18-1954

Taeng Yang

Plaintiff - Appellant

v.

Michael McNeill; Seth Wilson; Matthew Toupal; City of St. Paul Police Department

Defendants - Appellees

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

Submitted: February 4, 2019

Filed: February 7, 2019

[Unpublished]

Before LOKEN, KELLY, and GRASZ, Circuit Judges.

PER CURIAM.

Taeng Yang appeals after the district court¹ dismissed his pro se 42 U.S.C. § 1983 complaint as time-barred, denied him leave to amend his complaint on grounds that the proposed amendments would be futile, and denied his post-judgment motion for relief under Federal Rule of Civil Procedure 59(e). Upon careful de novo review, we conclude that the district court did not err in dismissing Yang’s complaint as time-barred. See Humphrey v. Eureka Gardens Pub. Facility Bd., 891 F.3d 1079, 1081 (8th Cir. 2018) (this court reviews de novo whether statute of limitations bars claim); see also Wallace v. Kato, 549 U.S. 384, 388–95 & 395 n.4 (2007) (false-arrest and false-imprisonment claims accrue when plaintiff becomes held pursuant to legal process). We further conclude that district court properly denied Yang’s motion for leave to amend his complaint because his proposed amendments would have been futile. See Silva v. Metro. Life Ins. Co., 762 F.3d 711, 719–20 (8th Cir. 2014) (district court may properly deny leave to amend complaint when proposed amendments would be futile; legal conclusions underlying district court’s finding of futility are reviewed de novo). Finally, we conclude that the district court did not abuse its discretion in denying Yang’s post-judgment motion. See Miller v. Baker Implement Co., 439 F.3d 407, 414 (8th Cir. 2006) (standard of review for denial of Fed. R. Civ. P. 59(e) motion). Accordingly, we affirm. See 8th Cir. R. 47B.

¹The Honorable Joan N. Ericksen, 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.