

United States Court of Appeals
For the Eighth Circuit

No. 19-3208

David Erwin

Plaintiff - Appellant

v.

City of Paragould, Arkansas; Billy McGraw, State Patrol Officer; Arkansas State Police; John Does, Officers 1-3; Anthony Ganus, Deputy Sheriff, Greene County Arkansas (originally named as Anthony Gaines)

Defendants - Appellees

Appeal from United States District Court
for the Eastern District of Arkansas - Jonesboro

Submitted: May 20, 2020
Filed: May 27, 2020
[Unpublished]

Before KELLY, WOLLMAN, and STRAS, Circuit Judges.

PER CURIAM.

David Erwin appeals the district court's¹ adverse grant of summary judgment in his pro se action asserting a 42 U.S.C. § 1983 claim against Green County Sheriff's Deputy Anthony Ganus. Upon careful de novo review of the record, we conclude that summary judgment was proper for the reasons stated by the district court. See Odom v. Kaizer, 864 F.3d 920, 921 (8th Cir. 2017) (grant of summary judgment is reviewed de novo; summary judgment is proper when there is no genuine issue of material fact and party is entitled to judgment as a matter of law; evidence is viewed and all reasonable inferences are drawn in nonmoving party's favor). We further conclude that Erwin has forfeited consideration of his arguments that the district court improperly considered the station log, see Wever v. Lincoln County, Neb., 388 F.3d 601, 608 (8th Cir. 2004) (ordinarily court of appeals will not consider arguments raised for first time on appeal), and did not discuss his Freedom of Information Act requests or the timeliness of Ganus's reply, see Waters v. Madison, 921 F.3d 725, 744 (8th Cir. 2019) (issues not meaningfully argued on appeal are waived). Accordingly, we affirm. See 8th Cir. R. 47B. Erwin's request for a hearing is denied as moot.

¹The Honorable D.P. Marshall Jr., Chief Judge, United States District Court for the Eastern District of Arkansas.