

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 07-1927

Wayne Nicolaison,	*	
	*	
Appellant,	*	
	*	Appeal from the United States
v.	*	District Court for the
	*	District of Minnesota.
Tim Brown; Matt Schroder;	*	
Tom Rosburg; Tim Lokensgard,	*	[UNPUBLISHED]
	*	
Appellees.	*	

Submitted: February 22, 2008
Filed: February 27, 2008

Before WOLLMAN, RILEY, and GRUENDER, Circuit Judges.

PER CURIAM.

Wayne Nicolaison (Nicolaison) appeals the district court's¹ order granting defendants' summary judgment motion in his 42 U.S.C. § 1983 action. Upon de novo review, see Rouse v. Benson, 193 F.3d 936, 939 (8th Cir. 1999), we conclude summary judgment was proper because there was no genuine issue of material fact as to the objective reasonableness of defendants' use of force, see Andrews v. Neer, 253

¹The Honorable Richard H. Kyle, United States District Judge for the District of Minnesota, adopting in part the report and recommendation of the Honorable Janie S. Mayeron, United States Magistrate Judge for the District of Minnesota.

F.3d 1052, 1061 (8th Cir. 2001) (concluding the objective reasonableness standard applies to excessive-force claims brought by civilly committed patients). Accordingly, we affirm the judgment of the district court. See 8th Cir. R. 47B. Nicolaison's motion for appointment of counsel on appeal is denied.
