

United States Court of Appeals
For the Eighth Circuit

No. 15-3367

Jimmy Lee Brown

Plaintiff - Appellant

v.

Gregory Harper, individually and in his official capacity as a Hope, Arkansas
police officer

Defendant - Appellee

Appeal from United States District Court
for the Western District of Arkansas - Texarkana

Submitted: May 13, 2016

Filed: May 20, 2016

[Unpublished]

Before COLLOTON, GRUENDER, KELLY, Circuit Judges.

PER CURIAM.

In this 42 U.S.C. § 1983 action, Jimmy Brown appeals the district court's¹ adverse grant of summary judgment on his claim that police officer Gregory Harper illegally seized him. Brown has also moved for this court to recuse itself.

To begin, we deny Brown's motion. *See* 28 U.S.C. § 455 (providing standard for disqualification of judges). Additionally, after careful de novo review, we conclude that summary judgment was properly granted. *See Peterson v. Kopp*, 754 F.3d 594, 598 (8th Cir. 2014) (standard of review); *United States v. Carpenter*, 462 F.3d 981, 985 (8th Cir. 2006) (seizure does not occur simply because officer approaches individual and asks few questions, so long as reasonable person would feel free to disregard officer and go about his business). Accordingly, we affirm. *See* 8th Cir. R. 47B.

¹The Honorable Susan O. Hickey, United States District Judge for the Western District of Arkansas, adopting the report and recommendations of the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas.