

United States Court of Appeals
For the Eighth Circuit

No. 23-2135

Daniel Jose Gomez

Plaintiff - Appellant

v.

Officer Justin Reiter, Peace/Police Officer at Sioux Falls Police Dept.; in his individual and official capacity; Officer Aaron Bobier, Peace/Police Officer at Sioux Falls Police Dept.; in his individual and official capacity; Coleen Moran, States Attorney at Minnehaha County State's Attorney's Office; in her individual and official capacity; Unknown Nurse, Registered Nurse at Avera McKennan Hospital; in her official capacity

Defendants - Appellees

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

Submitted: October 2, 2023

Filed: October 5, 2023

[Unpublished]

Before COLLOTON, GRUENDER, and ERICKSON, Circuit Judges.

PER CURIAM.

Daniel Gomez appeals following the district court's¹ adverse grant of summary judgment in his 42 U.S.C. § 1983 action. After careful review of the record and the parties' arguments on appeal, we conclude that the grant of summary judgment was proper. *See Jackson v. Stair*, 944 F.3d 704, 709 (8th Cir. 2019) (stating that the grant of summary judgment is reviewed de novo). We also conclude that the district court did not abuse its discretion in denying Gomez's request for additional time to respond to the summary judgment motion. *See Soliman v. Johanns*, 412 F.3d 920, 921 (8th Cir. 2005) (providing the standard of review). Accordingly, we affirm. *See* 8th Cir. R. 47B.

¹The Honorable Roberto Lange, Chief Judge, United States District Court for the District of South Dakota.