United States Court of Appeals
For the Eighth Circuit

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No. 23-1692

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Zac William Foxhoven, Vessel; by William Foxhoven - Beneficiary

Plaintiff - Appellant

v.

Danny Stacy; Geody Vandewater, official capacity as Police Chief of the City of
Sturgis Police Department de-facto private for profit corporation with Dun and
Bradstreet #xx-xxx-xxx; Darnell Pate

Defendants - Appellees

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

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Submitted: December 18, 2023
Filed: December 21, 2023
[Unpublished]

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Before LOKEN, SHEPHERD, and KOBES, Circuit Judges.

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PER CURIAM.

Zac Foxhoven appeals the district court's[1] dismissal of his civil rights action alleging that police officers entered private property without a warrant and arrested him without probable cause. Upon careful review, we conclude that the district court properly dismissed the complaint. See Allen v. Monico, 27 F.4th 1372, 1376 (8th Cir. 2022).

To the extent Foxhoven argues that the officers' entry into the garage and arrest of the initial suspect was unlawful, he cannot bring a Fourth Amendment claim to vindicate the constitutional rights of another. See United States v. Wright, 844 F.3d 759, 762 (8th Cir. 2016). We further conclude that officers did not need a warrant to enter the driveway, which is where they ultimately arrested Foxhoven. See United States v. Lakoskey, 462 F.3d 965, 973 (8th Cir. 2006).

Finally, we agree with the district court that the officers had probable cause to arrest Foxhoven for obstruction due to his refusal to obey their instructions to back away. See Ehlers v. City of Rapid City, 846 F.3d 1002, 1009 (8th Cir. 2017). While Foxhoven argues that the probable cause affidavit included false statements, the officers had probable cause based on the undisputed facts as shown by the videos Foxhoven submitted. See Allen, 27 F.4th at 1376.

Accordingly, we affirm.

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[1]The Honorable Charles B. Kornmann, United States District Judge for the District of South Dakota.