

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 97-3438

Elsie Mayard,	*	
	*	
Appellant.	*	On Appeal from the United States
v.	*	District Court for the District of
	*	Minnesota.
Dennis Meyer,	*	
	*	[UNPUBLISHED]
Appellee.	*	

Submitted: November 16, 1998
Filed: November 25, 1998

Before BOWMAN, Chief Judge, BRIGHT, and MAGILL, Circuit Judges.

PER CURIAM.

This case has survived from our prior opinion Mayard v. Hopwood, 105 F.3d 1226 (8th Cir. 1997), which permitted the continuance of Ms. Mayard's civil action against police officer Dennis Meyer for violating her constitutional rights by using excessive force while transporting Mayard in a police vehicle to police headquarters in St. Paul. The district court heard the excessive force case, submitted the issues to the jury, and entered a judgment of dismissal in conformity with the jury verdict for the defendant. On this appeal, Mayard asserts error in the district court's refusal to permit her to amend her complaint to assert additional claims for other violations of her constitutional rights by police. Additionally, she asserts error in the trial judge's ruling

excluding her evidence relating to alleged improper conduct by the police which occurred immediately prior to her arrest and the transporting of her to police headquarters via a police vehicle.

Both rulings fall within the area of discretion by the district judge. The record does not establish any abuse of discretion. Accordingly, we affirm. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U. S. COURT OF APPEALS, EIGHTH CIRCUIT.