

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 98-2219

Alvin Palmer; Amanda Yates;	*	
Ronnie Yates,	*	
	*	
Plaintiffs/Appellants,	*	
	*	
v.	*	Appeal from the United States
	*	District Court for the
Michael Bains, originally sued as	*	Eastern District of Arkansas.
Michael Baines; Michael Hillman;	*	[UNPUBLISHED]
City of Jacksonville, Arkansas,	*	
	*	
Defendants/Appellees,	*	
	*	
Jacksonville Police Department,	*	
	*	
Defendant.	*	

Submitted: February 11, 1999

Filed: July 6, 1999

Before WOLLMAN,¹ LOKEN, and MORRIS SHEPPARD ARNOLD, Circuit Judges.

¹The Honorable Roger L. Wollman became Chief Judge of the United States Court of Appeals for the Eighth Circuit on April 24, 1999.

PER CURIAM.

Alvin Palmer, Amanda Yates, and Ronnie Yates (plaintiffs) appeal from the district court's² entry of judgment as a matter of law in favor of police officers Michael Bains and Michael Hillman in this 42 U.S.C. § 1983 action.³ Having reviewed the record and the parties' briefs, we agree with the district court that plaintiffs did not state a claim against Bains and Hillman in their individual capacities. See Johnson v. Outboard Marine Corp., 172 F.3d 531, 535 (8th Cir. 1999) (noting that "in order to sue a public official in his or her individual capacity, a plaintiff must expressly and unambiguously state so in the pleadings, otherwise, it will be assumed that the defendant is sued only in his or her official capacity") (citations omitted). Because an extended opinion would have no precedential value and because the district court correctly analyzed the applicable legal principles as they apply to the facts of this case, we affirm without further discussion. See 8th Cir. R. 47B.⁴

The judgment is affirmed.

A true copy.

Attest:

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

²The Honorable Stephen M. Reasoner, United States District Judge for the Eastern District of Arkansas.

³Plaintiffs do not appeal from the judgment as a matter of law in favor of the City of Jacksonville.

⁴In light of our holding, appellees' motions to supplement the record are denied as moot.