

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

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No. 99-1560

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Francis J. Pumper,

Appellant,

v.

Paul Bartz, Officer,

Appellee.

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Appeal from the United States  
District Court for the  
District of Minnesota.

[UNPUBLISHED]

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Submitted: October 29, 1999

Filed: November 1, 1999

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Before BOWMAN, FAGG, and MURPHY, Circuit Judges.

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PER CURIAM.

Francis J. Pumper appeals the district court's<sup>1</sup> grant of summary judgment to police officer Paul W. Bartz in Pumper's 42 U.S.C. § 1983 and state tort action arising out of his arrest for traffic violations and obstruction of justice. After de novo review of the record and the parties' submissions, we conclude summary judgment was proper for the reasons stated by the district court. We dismiss Bartz's motion to strike as moot, see Stewart v. Professional Computer Ctrs., Inc., 148 F.3d 937, 940 n.3 (8th Cir.

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<sup>1</sup>The Honorable David S. Doty, United States District Judge for the District of Minnesota.

1998), and we deny Pumper's motion to recuse the district judge. Accordingly, we affirm. See 8th Cir. R. 47B.

A true copy.

Attest:

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