

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

Robert Preble and John Casper v. Itasca County Board of Commissioners; John Johnson; Casey Venema; Cory Smith; Terry Snyder; Larry Hopkins; Brett Skyles; Jacob Fauchild; Joe Dasovich; and Austin Rohling

Preble · No. 25-cv-3006 (LMP/LIB) · Decided December 2, 2025

SUMMARY

The United States District Court for the District of Minnesota denied Robert Preble and John Casper’s motion for a preliminary injunction seeking to require Itasca County officials to reinstate an online portal for submitting comments to county board meetings. The court held that plaintiffs had not shown a likelihood of success on their First Amendment retaliation claim because temporal proximity alone did not establish retaliatory motive, and that the remaining preliminary-injunction factors also weighed against relief.

CASE DETAILS

COURT	United States District Court for the District of Minnesota
WRITING FOR THE COURT	Laura M. Provinzino
JURISDICTION	United States District Court for the District of Minnesota
DECIDED	December 2, 2025
DOCKET	25-cv-3006 (LMP/LIB)
DISPOSITION	denied
PROCEDURAL POSTURE	Plaintiffs moved for a preliminary injunction requiring Itasca County officials to reinstate an online portal for submitting written comments to be read at County Board meetings. The court denied the motion.
STANDARD OF REVIEW	A preliminary-injunction movant must establish a likelihood of success on the merits, a likelihood of irreparable harm absent relief, that the balance of equities favors the movant, and that an injunction is in the public interest. In First Amendment cases, likelihood of success is often the determining factor.
PRECEDENTIAL VALUE	Unpublished district court order; persuasive rather than precedential

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QUESTIONS PRESENTED

1. Whether plaintiffs demonstrated a likelihood of success on their First Amendment retaliation claim based primarily on the temporal proximity between filing the lawsuit and the County's closure of the online comment portal.
2. Whether the remaining preliminary-injunction factors supported requiring defendants to reinstate the online comment portal.

HOLDINGS

1. Plaintiffs were unlikely to succeed on their First Amendment retaliation claim because temporal proximity between protected activity and the alleged retaliatory action, standing alone, did not establish retaliatory motive.
2. The remaining preliminary-injunction factors did not support relief because plaintiffs had not shown infringement of their First Amendment rights or irreparable harm, defendants would be harmed by an injunction concerning conduct not shown to be unlawful, and the public interest did not require restoration of the portal while other channels of communication remained available.

KEY QUOTATIONS

“A preliminary injunction is an “extraordinary remedy that may only be awarded upon a clear showing that the plaintiff is entitled to such relief.”” (at 1)

“However, temporal proximity between protected activity and the alleged retaliation, by itself, does not establish a retaliatory motive.” (at 2)

“Open channels of communication between citizens and government are central to democracy,” (at 3)

FACTUAL BACKGROUND

Plaintiffs submitted written comments through an online portal created by Itasca County officials for residents to provide comments to be read aloud at County Board meetings. Plaintiffs alleged that officials violated their First, Fourth, and Fourteenth Amendment rights by not reading their comments. Thirteen days after plaintiffs filed suit, the County stopped accepting comments through the portal, although residents could still comment by attending the Board's in-person Tuesday meetings.

PROCEDURAL HISTORY

Plaintiffs filed the action on July 25, 2025, alleging that County officials violated their First, Fourth, and Fourteenth Amendment rights by not reading their online comments at public meetings. Thirteen days after filing suit, the County stopped accepting written comments through the online portal and required residents to attend

in-person meetings to provide comments. Plaintiffs moved for a preliminary injunction on September 19, 2025, asserting that the portal's closure was retaliation for filing the lawsuit. The district court denied the motion on the merits.

DISPOSITION

denied

CASES CITED

- Winter v. Nat. Res. Def. Council, Inc., 555 U.S. 7, 20, 22 (2008)
- S.J.W. ex rel. Wilson v. Lee's Summit R-7 Sch. Dist., 696 F.3d 771, 776 (8th Cir. 2012)
- Schmitt v. Rebertus, 148 F.4th 958, 970-71 (8th Cir. 2025)
- Phelps-Roper v. Nixon, 545 F.3d 685, 690, 694 (8th Cir. 2008)
- Phelps-Roper v. City of Manchester, 697 F.3d 678 (8th Cir. 2012) (en banc)
- Zutz v. Nelson, 601 F.3d 842, 848-49 (8th Cir. 2010)
- Spencer v. Jackson County, 738 F.3d 907, 911 (8th Cir. 2013)
- Smith v. Rozeboom, 108 F.4th 1064, 1071 (8th Cir. 2024)
- Graham v. Barnette, 5 F.4th 872, 889 (8th Cir. 2021)
- Johnson v. Ark. State Hosp., 282 F. App'x 497, 499 (8th Cir. 2008)
- Ness v. City of Bloomington, 437 F. Supp. 3d 714, 723 (D. Minn. 2020)
- Independence-Alliance Party of Minn. v. Simon, 603 F. Supp. 3d 684, 695 (D. Minn. 2022)
- In re Vera T. Welte Testamentary Tr., 96 F.4th 1034, 1039 (8th Cir. 2024)
- Viking Supply v. Nat'l Cart Co., 310 F.3d 1092, 1099 (8th Cir. 2002)

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