

UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT

John Phillip Wright Dukeman, II v. Dylan Wyatt

No. No. 25-1632, United States Court of Appeals for the Eighth Circuit (February 12, 2026)

SUMMARY

The Eighth Circuit reversed the denial of qualified immunity to Missouri Highway Patrol Trooper Dylan Wyatt in a 42 U.S.C. § 1983 excessive-force action involving the deployment of a police canine. The court held that the complaint did not sufficiently allege Wyatt’s personal involvement, opportunity, or means to prevent the canine’s use of force, nor establish a clearly established duty for him to issue a warning or intervene on behalf of another law enforcement agency’s canine. The case was remanded with instructions to dismiss the claims against Wyatt.

CASE DETAILS

COURT	United States Court of Appeals for the Eighth Circuit
WRITING FOR THE COURT	Erickson, Circuit Judge; Colloton, Chief Judge; Shepherd, Circuit Judge
JURISDICTION	United States Court of Appeals for the Eighth Circuit
DECIDED	February 12, 2026
DOCKET	No. 25-1632
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Interlocutory appeal from the denial of Trooper Wyatt's motion to dismiss on qualified-immunity grounds in a 42 U.S.C. § 1983 excessive-force and failure-to-intervene action.
STANDARD OF REVIEW	De novo review of the denial of qualified immunity at the motion-to-dismiss stage; interlocutory jurisdiction extends to legal issues concerning qualified immunity.
PRECEDENTIAL VALUE	Published Eighth Circuit opinion; precedential value is indicated by the source metadata.
PARTIES	Dylan Wyatt v. John Phillip Wright Dukeman, II

TOPICS

- qualified immunity
- section 1983
- police misconduct
- interlocutory appeal
- appellate procedure

PRACTICE AREAS

civil rights

constitutional law

police misconduct

appellate procedure

QUESTIONS PRESENTED

1. Whether Wyatt was entitled to qualified immunity on Dukeman's claim that Wyatt violated a clearly established right by failing to issue a canine warning before the county deputy deployed Ares.
2. Whether Wyatt was entitled to qualified immunity on Dukeman's failure-to-intervene claim based on Wyatt's alleged failure to command, intercept, or remove a police canine belonging to another law-enforcement agency.
3. Whether Dukeman's collective allegations against the officers sufficiently pleaded Wyatt's personal involvement in the alleged constitutional violations.

HOLDINGS

1. A § 1983 plaintiff must establish each individual defendant's personal involvement, and allegations describing collective conduct by multiple officers are insufficient without factual allegations connecting the particular defendant to the alleged constitutional violation.
2. Wyatt was entitled to qualified immunity because Dukeman did not identify clearly established law requiring an officer from a different law-enforcement agency, who was not the canine handler and had no police canine at the scene, to issue a canine warning on behalf of the handler.
3. Wyatt was entitled to qualified immunity on the failure-to-intervene claim because Dukeman did not allege facts showing that Wyatt had both the opportunity and the means to prevent Ares from harming him, or that Wyatt's duty to intervene in this specific context was clearly established.

KEY QUOTATIONS

“A law enforcement officer may be held liable under § 1983 only for his own misconduct.” (at 3)

“Without some allegation or showing that Trooper Wyatt had the opportunity and the means to prevent Ares from harming Dukeman, Dukeman cannot satisfy his burden of showing the violation of a clearly established right.” (at 5)

FACTUAL BACKGROUND

Sheriff's deputies pursued Dukeman after he stole a school bus, and Trooper Dylon Wyatt assisted in the search. After officers located Dukeman in a wooded area, Sergeant Charles Ochs released a county police canine, Ares, which bit Dukeman on his right arm, right leg, and groin. Dukeman did not allege that Wyatt personally used force; instead, he alleged that Wyatt failed to intervene, command the canine, or stop the attack. Wyatt was a highway patrol officer from a different law-enforcement agency and was not alleged to have a specific relationship with, or knowledge or experience concerning, Ares.

PROCEDURAL HISTORY

Dukeman brought a § 1983 action alleging that law-enforcement officers used excessive force when a county police canine was deployed during his arrest. The district court denied Wyatt's motion to dismiss, concluding that the allegations were sufficient at the initial-review stage to state claims and that clearly established law required an adequate canine warning and an opportunity for peaceful surrender. The Eighth Circuit exercised interlocutory jurisdiction over the qualified-immunity issue, reversed, and remanded with directions to dismiss the claims against Wyatt.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remand with directions to dismiss the claims against Trooper Wyatt.

CASES CITED

- Arnold v. McClinton, 112 F.4th 598, 601 (8th Cir. 2024)
- Adams v. City of Cedar Rapids, 74 F.4th 935, 940 (8th Cir. 2023)
- Faulk v. City of St. Louis, Mo., 30 F.4th 739, 742 (8th Cir. 2022)
- Carter v. Ludwick, 139 F.4th 982, 989 (8th Cir. 2025)
- Weaver v. Clarke, 45 F.3d 1253, 1255 (8th Cir. 1995)
- Hanson, as Trustee for Layton v. Best, 915 F.3d 543, 548 (8th Cir. 2019)
- White v. Jackson, 865 F.3d 1064, 1081 (8th Cir. 2017)
- Handt v. Lynch, 681 F.3d 939, 944 (8th Cir. 2012)
- Torres v. City of St. Louis, 39 F.4th 494, 504-05 (8th Cir. 2022)
- Smith v. City of Minneapolis, 754 F.3d 541, 547-48 (8th Cir. 2014)
- Mendoza v. Block, 27 F.3d 1357 (9th Cir. 1994)
- Watkins v. City of Oakland, Cal., 145 F.3d 1087 (9th Cir. 1998)
- Miller v. Clark Cnty., 340 F.3d 959 (9th Cir. 2003)
- Robinson v. Payton, 791 F.3d 824, 829 (8th Cir. 2015)
- Nance v. Sammis, 586 F.3d 604, 612 (8th Cir. 2009)