

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

Grant Anthony Judish v. City of Eden Prairie, Brett Lindeman, Dan Peterson, Mark Gustad, Rob Johnston, Christopher Wood, and Matthew Sackett

Judish · No. 25-cv-1302 (LMP/DJF) · Decided February 4, 2026

SUMMARY

The United States District Court for the District of Minnesota adopted a magistrate judge’s Report and Recommendation granting the Eden Prairie Defendants’ motion for partial dismissal. The court dismissed with prejudice specified claims against the City of Eden Prairie and several individual defendants, including official-capacity claims, an Eighth Amendment claim, and claims under Minnesota criminal statutes, while Fourth and Fourteenth Amendment claims against Dan Peterson and Mark Gustad in their individual capacities remained pending.

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	February 4, 2026
DOCKET	25-cv-1302 (LMP/DJF)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought claims under 42 U.S.C. § 1983 and Minnesota law. After prior dismissals, the remaining defendants moved for partial dismissal under Federal Rule of Civil Procedure 12. A magistrate judge recommended granting the motion, and the district court adopted the recommendation after no party objected.
STANDARD OF REVIEW	Clear-error review of an unobjected-to magistrate judge's Report and Recommendation under Federal Rule of Civil Procedure 72(b)(2).
PRECEDENTIAL VALUE	unpublished
PARTIES	Grant Anthony Judish v. City of Eden Prairie, Brett Lindeman, Dan Peterson, Mark Gustad, Rob Johnston, Christopher Wood, Matthew Sackett

TOPICS

motions to dismiss

section 1983

civil rights

constitutional law

civil procedure

PRACTICE AREAS

civil procedure

civil rights

constitutional law

municipal law

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's Report and Recommendation when no party filed objections and the recommendation contained no clear error.
2. Whether the defendants' motion for partial dismissal should be granted, resulting in dismissal with prejudice of the specified claims against the City and individual defendants.

HOLDINGS

1. When no party objects to a magistrate judge's Report and Recommendation, the district court reviews the recommendation for clear error; finding none, the court may adopt it in full.
2. The defendants' motion for partial dismissal was granted, and all claims against the City of Eden Prairie, Brett Lindeman, Rob Johnston, Christopher Wood, and Matthew Sackett; all official-capacity claims against Mark Gustad and Dan Peterson; the Eighth Amendment claim against Dan Peterson; and all claims arising under Minnesota state criminal statutes were dismissed with prejudice.

KEY QUOTATIONS

“Having completed that review, the Court finds no error and adopts the R&R in full.” (Order)

FACTUAL BACKGROUND

Judish alleged that Eden Prairie officials mishandled his personal property in connection with his April 2021 arrest. He asserted Fourth, Eighth, and Fourteenth Amendment claims under 42 U.S.C. § 1983, along with claims based on Minnesota criminal statutes. After earlier dismissals narrowed the action, the remaining dispute concerned claims against the City of Eden Prairie and individual Eden Prairie police officials.

PROCEDURAL HISTORY

Judish initially sued the Eden Prairie Defendants, Hennepin County defendants, and the Minnesota Board of Peace Officer Standards and Training. Following two prior dismissal orders, only claims against the Eden Prairie Defendants remained. The Eden Prairie Defendants moved for partial dismissal, and Magistrate Judge Dulce J. Foster issued a Report and Recommendation recommending that the motion be granted. Because no objections were filed, the district court reviewed the recommendation for clear error, adopted it in full, and dismissed specified claims with prejudice.

DISPOSITION

dismissed

CASES CITED

- *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam)

OPINION

UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA GRANT ANTHONY JUDISH, Case No. 25-cv-1302 (LMP/DJF) Plaintiff, v. ORDER ADOPTING REPORT AND CITY OF EDEN PRAIRIE, BRETT RECOMMENDATION LINDEMAN, DAN PETERSON, MARK GUSTAD, ROB JOHNSTON, CHRISTOPHER WOOD, and MATTHEW SACKETT, Defendants. Plaintiff Grant Anthony Judish initiated this lawsuit asserting claims under 42 U.S.C. § 1983 and Minnesota law relating to the alleged mishandling of his personal property in connection with his arrest in April 2021.

See generally ECF No. 1. Judish initially brought claims against the City of Eden Prairie (“City”) and various Eden Prairie Police Department officials¹ (collectively, “Eden Prairie Defendants”), Hennepin County and various Hennepin County institutions and officials, and the Minnesota Board of Peace Officer Standards and Training. See *id.* at 1.

After two previous orders of dismissal, only the claims against the Eden Prairie Defendants remain. ECF Nos. 23, 42. 1 Specifically, the Eden Prairie Police Department officials against whom Judish raises claims are Defendants Brett Lindeman, Dan Peterson, Mark Gustad, Rob Johnston, Christopher Wood, and Matthew Sackett, individually and in their official capacities.

ECF No. 1 at 1. Judish alleges that the Eden Prairie Defendants violated his rights under the Fourth, Eighth, and Fourteenth Amendments to the United States Constitution and various Minnesota criminal statutes. On August 25, 2025, the Eden Prairie Defendants moved to dismiss: (1) the Eight Amendment claim against Defendant Dan Peterson; (2) the Fourth and Fourteenth Amendment claims against Defendants Peterson and Mark Gustad in their official capacities; (3) all claims against the City and Defendants Brett Lindeman, Rob Johnston, Christopher Wood, and Matthew Sackett; and (4) all Minnesota statutory claims against all Eden Prairie Defendants.

See ECF No. 31; ECF No. 33 at 14. The Eden Prairie Defendants did not request dismissal of Judish’s Fourth and Fourteenth Amendment claims against Defendants Peterson and Gustad. See ECF No. 33 at 14. On November 24, 2025, United States Magistrate Judge Dulce J. Foster issued a Report and Recommendation (“R&R”), concluding that the Eden Prairie Defendants’ motion should be granted.

See generally ECF No. 56. No party has filed objections to the R&R, see Fed. R. Civ. P. 72(b)(2), so the Court reviews it for clear error, see *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Having completed that review, the Court finds no error and adopts the R&R in full. ORDER Based on the foregoing, and on all the files, records, and proceedings in this matter, IT IS HEREBY ORDERED that: 1.

The R&R (ECF No. 56) is ADOPTED; 2. Defendants' Motion for Partial Dismissal of Plaintiff's Complaint (ECF No. 31) is GRANTED; 3. All claims against Defendants City of Eden Prairie, Brett Lindeman, Rob Johnston, Christopher Wood, and Matthew Sackett are DISMISSED WITH PREJUDICE; 4. All claims against Defendants Mark Gustad and Dan Peterson in their official capacities are DISMISSED WITH PREJUDICE; 5.

The Eighth Amendment claim against Defendant Dan Peterson is DISMISSED WITH PREJUDICE; and 6. All claims arising under Minnesota state criminal statutes against all Defendants are DISMISSED WITH PREJUDICE.² Dated: February 4, 2026 s/Laura M. Provinzino Laura M. Provinzino United States District Judge 2 As noted above, Defendants did not request dismissal of Judish's Fourth and Fourteenth Amendment claims against Defendants Dan Peterson and Mark Gustad in their individual capacities, so those claims remain and may proceed.