

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

Clifton Scott Campbell v. City of Duluth, Officer Kneeland, Officer Lemendger, Officer Schutte, and Former Chief Tusken

Campbell · No. Civil No. 25-1476 (JRT/LIB) · Decided February 23, 2026

SUMMARY

The United States District Court for the District of Minnesota adopted a magistrate judge’s Report and Recommendation in Clifton Scott Campbell’s civil rights action against the City of Duluth and several officers. The court overruled Campbell’s untimely objection and granted the defendants’ motions to dismiss in part, dismissing specified federal and state-law claims without prejudice.

CASE DETAILS

COURT	United States District Court for the District of Minnesota
WRITING FOR THE COURT	John R. Tunheim
JURISDICTION	United States District Court for the District of Minnesota
DECIDED	February 23, 2026
DOCKET	Civil No. 25-1476 (JRT/LIB)
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's order and Report and Recommendation concerning motions to amend and motions to dismiss. Plaintiff filed an untimely objection, and the district court reviewed the R&R for clear error, adopted it, overruled the objection, and granted defendants' motions to dismiss in part while denying dismissal with prejudice.
STANDARD OF REVIEW	Untimely objections and objections that merely repeat arguments presented to and considered by a magistrate judge are reviewed for clear error rather than de novo review. In the absence of specific timely objections, the court reviews the R&R for clear error on the face of the record.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Clifton Scott Campbell v. City of Duluth, Officer Kneeland, Officer Lemendger, Officer Schutte, Former Chief Tusken

TOPICS

motions to dismiss

motion to amend

civil procedure

section 1983

municipal liability

PRACTICE AREAS

civil rights

civil procedure

torts

municipal liability

remedies

QUESTIONS PRESENTED

1. Whether Campbell's untimely objection to the magistrate judge's Report and Recommendation was entitled to de novo review.
2. Whether the Report and Recommendation was clearly erroneous or contrary to applicable law.
3. Whether Defendants' motions to dismiss should be granted in part and denied in part.
4. Whether Campbell's motions to amend the complaint should be denied.

HOLDINGS

1. Because Campbell's objection was untimely and merely repeated arguments presented to and considered by the magistrate judge, the objection was reviewed for clear error rather than de novo review.
2. The Report and Recommendation was not clearly erroneous and was adopted.
3. Defendants' motions to dismiss were granted in part and denied in part; the specified excessive-force, failure-to-intervene, Monell, individual- and official-capacity, intentional-infliction-of-emotional-distress, and defamation claims were dismissed without prejudice, while dismissal with prejudice was denied.
4. Campbell's motions to amend the complaint were denied.

KEY QUOTATIONS

“Objections which are not timely and “merely repeat arguments presented to and considered by a magistrate judge are not entitled to de novo review but rather are reviewed for clear error.””

“In the absence of specific objections, an R&R is reviewed for clear error.”

FACTUAL BACKGROUND

Campbell asserted claims arising from encounters involving Duluth police officers, including excessive force, failure to intervene, and state-law claims for intentional infliction of emotional distress and defamation. The record included body-worn-camera and dash-camera footage that had been presented to and considered by the magistrate judge. The district court's order addresses the sufficiency and disposition of the pleaded claims rather than resolving the underlying factual disputes.

PROCEDURAL HISTORY

On October 15, 2025, Magistrate Judge Leo I. Brisbois denied Plaintiff's motions to amend and recommended granting in part and denying in part Defendants' motions to dismiss. Plaintiff filed an objection more than three

weeks after the fourteen-day deadline, repeating arguments concerning body-worn and dash-camera footage. The district court found no clear error, adopted the R&R, overruled the objection, and dismissed specified claims without prejudice.

DISPOSITION

other

CASES CITED

- *Montgomery v. Compass Airlines, LLC*, 98 F. Supp. 3d 1012, 1017 (D. Minn. 2015)
- *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996)

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