

UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT

Oakley Engesser v. Edward Fox

No. 19-3232, United States Court of Appeals for the Eighth Circuit (April 7, 2021)

SUMMARY

Eighth Circuit affirmed summary judgment for defendants in a § 1983 action alleging reckless investigation, holding that plaintiff’s 10-year wrongful imprisonment did not establish a constitutional violation because the officer’s investigation, while possibly negligent or grossly negligent, did not rise to the level of conscience-shocking reckless or purposeful misconduct required under substantive due process. Qualified immunity applied, and claims for supervisory liability and civil conspiracy failed in the absence of an underlying constitutional violation. The court reaffirmed that merely ignoring evidence or failing to interview witnesses, without evidence of intentional misconduct or systematic pressure, is insufficient to shock the conscience.

CASE DETAILS

COURT	United States Court of Appeals for the Eighth Circuit
WRITING FOR THE COURT	Stras; Colloton; Grasz
JURISDICTION	Federal
DECIDED	April 7, 2021
DOCKET	19-3232
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from summary judgment dismissal in a § 1983 action.
STANDARD OF REVIEW	We review the district court’s decision to grant summary judgment de novo.
PRECEDENTIAL VALUE	Published
PARTIES	Oakley Bernard Engesser v. Trooper Edward Fox, of the South Dakota Highway Patrol, in his individual capacity; Michael Kayras, Trooper Fox’s supervisor, in his individual capacity; Jennifer Utter, Meade County States Attorney; Gordon Swanson, Meade County States Attorney; Amber Richey, Meade County Assistant States Attorney; Meade County

TOPICS

civil rights

qualified immunity

summary judgment

due process

fourteenth amendment

PRACTICE AREAS

Civil Rights

Appellate Procedure

Qualified Immunity

QUESTIONS PRESENTED

1. Whether Trooper Fox's investigation was so constitutionally deficient that it violates substantive due process under the 'shocks the conscience' standard.
2. Whether the supervisory liability claim against Kayras fails.
3. Whether the conspiracy claim fails.

HOLDINGS

1. No, the evidence shows at most negligence, not reckless or purposeful misconduct, so no constitutional violation occurred.
2. Yes, because there is no underlying constitutional violation, the failure-to-supervise claim automatically fails.
3. Yes, because no constitutional deprivation occurred.

KEY QUOTATIONS

"Summary judgment [was] appropriate [if] the evidence, viewed in [the] light most favorable to [Engesser], show[ed] no genuine issue of material fact exist[ed] and the [defendants were] entitled to judgment as a matter of law." (4)

"To meet this standard, a plaintiff must show reckless or purposeful misconduct, not mere negligence." (4)

"We have allowed claims of this type to proceed when there is evidence that an investigator: (1) attempted to coerce or threaten the defendant; (2) purposefully ignored evidence suggesting the defendant's innocence; or (3) encountered systematic pressure to implicate the defendant in the face of contrary evidence." (4-5)

FACTUAL BACKGROUND

Oakley Engesser and Dorothy Finley were in a car accident. Engesser was found outside the driver's side, Finley trapped inside on passenger side. Trooper Fox concluded Engesser was driving based on physical evidence. Engesser was convicted of vehicular homicide. After new evidence surfaced, his convictions were overturned. He then sued under § 1983 claiming reckless investigation.

PROCEDURAL HISTORY

Engesser filed a § 1983 lawsuit after his convictions were overturned. The district court granted summary judgment to the defendants on all claims, including qualified immunity for Trooper Fox. Engesser appealed.

DISPOSITION

affirmed

CASES CITED

- State v. Engesser, 661 N.W.2d 739 (S.D. 2003)
- Engesser v. Young, 856 N.W.2d 471 (S.D. 2014)
- Torgerson v. City of Rochester, 643 F.3d 1031 (8th Cir. 2011) (en banc)
- Spangler v. Fed. Home Loan Bank of Des Moines, 278 F.3d 847 (8th Cir. 2002)
- Morgan v. Robinson, 920 F.3d 521 (8th Cir. 2019) (en banc)
- Akins v. Epperly, 588 F.3d 1178 (8th Cir. 2009)
- Winslow v. Smith, 696 F.3d 716 (8th Cir. 2012)
- Johnson v. Moody, 903 F.3d 766 (8th Cir. 2018)
- Kingsley v. Lawrence Cnty., 964 F.3d 690 (8th Cir. 2020)
- Davis v. White, 794 F.3d 1008 (8th Cir. 2015)
- Wilson v. Lawrence Cnty., 260 F.3d 946 (8th Cir. 2001)
- Holloway v. Del. Cnty. Sheriff, 700 F.3d 1063 (7th Cir. 2012)
- Dean v. Searcey, 893 F.3d 504 (8th Cir. 2018)
- Amrine v. Brooks, 522 F.3d 823 (8th Cir. 2008)
- Folkerts v. City of Waverly, 707 F.3d 975 (8th Cir. 2013)
- White v. McKinley, 519 F.3d 806 (8th Cir. 2008)
- Brady v. Maryland, 373 U.S. 83 (1963)
- Andrews v. Fowler, 98 F.3d 1069 (8th Cir. 1996)
- Henry v. Johnson, 950 F.3d 1005 (8th Cir. 2020)
- Askew v. Millerd, 191 F.3d 953 (8th Cir. 1999)
- Briscoe v. County of St. Louis, 690 F.3d 1004 (8th Cir. 2012)
- County of Sacramento v. Lewis, 523 U.S. 833 (1998)
- White v. Smith, 696 F.3d 740 (8th Cir. 2012)

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