

STATE OF MINNESOTA
IN COURT OF APPEALS
A24-1806



Patrick R Vaughn,

Appellant,

vs.

ORDER OPINION

Steven Tomasko, et al.,

Hennepin County District Court
File No. 27-CV-24-249

Respondents,

Minneapolis Police Officers,

Respondent,

Cedar Towing,

Respondent.

Considered and decided by Bjorkman, Presiding Judge; Harris, Judge; and Klapchake, Judge.*

BASED ON THE FILE, RECORD, AND PROCEEDINGS, AND BECAUSE:

1. Appellant Patrick R. Vaughn challenges the summary-judgment dismissal of his claims against respondent City of Minneapolis police officers, respondent Hennepin County sheriff's deputies, and respondent Cedar Towing.

* Retired judge of the Minnesota Court of Appeals, serving by appointment pursuant to Minn. Const. art. VI, § 10.

2. The following facts are not in dispute. In December 2023, Minneapolis Police Department officers executed an arrest warrant at Pleasant Avenue Property, where Vaughn leased garage spaces and where officers believed he was staying. When officers arrived, “they noticed a Jaguar vehicle parked parallel to, and inches from, one of the garage doors.” Officers contacted impound to tow the Jaguar. The officers attempted to serve the arrest warrant by knocking on the garage door and asking that Vaughn step outside, but he refused. Because the garage door was locked from the inside, officers pried the door open with tools to push the door up. Vaughn was subsequently arrested and later released. The following day, the property manager at Pleasant Avenue Property contacted Cedar Towing with a request to tow a pickup truck belonging to Vaughn that was unlawfully parked in the alleyway outside of his garage units.

3. In January 2024, Vaughn filed an amended complaint and named the defendants as follows: “[S]heriff[s]–[S.T., A.T., C.H., J.L., S.J.],” unnamed Hennepin County sheriff’s deputies, unnamed Minneapolis police officers of his case, “Cedar Towing,” and “[Y.L.L.].”¹ According to Vaughn’s complaint, Minneapolis police officers, Hennepin County sheriff’s deputies, and Cedar Towing went to his private residence, tore off his garage door completely, harmed him, and caused his landlord to cancel his lease.

4. The City of Minneapolis, Hennepin County respondents, and Cedar Towing moved for summary judgment and to dismiss Vaughn’s claims, arguing that he failed to

¹ In an order granting a fee waiver request, the district court determined that the action against Y.L.L. was “frivolous” and removed her from the matter.

state a claim upon which relief may be granted and that he failed to provide adequate service.

5. The district court granted summary judgment in favor of the city, Hennepin County respondents, and Cedar Towing. For the Hennepin County respondents, the district court determined that Vaughn “offered no evidence to refute the legality of the officer’s actions, other than his unsupported claim that no warrant existed.” The district court added that, although Vaughn “served an agent of Hennepin County,” he “failed to personally serve the Hennepin [County] defendants” and thus “failed to commence a case against the individual [d]efendants.” Similarly, the district court determined that Vaughn failed to serve the individual police officers because he served the summons and amended complaint on the city clerk, which it observed “is not effective service on individual police officers.” Finally, the district court determined that Cedar Towing lawfully towed Vaughn’s pickup truck because it was authorized by the property owner.

6. Vaughn argues that the district court erred because he was assaulted and asks us to release or disclose “missing withheld transcripts.” He adds that, “the transcripts contain the court records . . . from . . . [his] first attorney that notified the court [he] was assaulted.” These transcripts are related to a separate matter that is not part of the record before us.

7. Our function “is limited to identifying errors and then correcting them.” *Sefkow v. Sefkow*, 427 N.W.2d 203, 210 (Minn. 1988). Moreover, we decline to reach issues that are inadequately briefed. *State, Dep’t of Labor & Indus. v. Wintz Parcel Drivers, Inc.*, 558 N.W.2d 480, 480 (Minn. 1997). And an assignment of error in a brief

based on “mere assertion” and not supported by argument or authority is waived unless prejudicial error is obvious on mere inspection. *Schoepke v. Alexander Smith & Sons Carpet Co.*, 187 N.W.2d 133, 135 (Minn. 1971).

8. Here, Vaughn does not challenge any of the grounds upon which the district court granted summary judgment. He also does not provide any authority or analysis to support his claim of error on appeal. And because there is no obvious prejudicial error upon review, there is no error for us to consider. *See Sefkow*, 427 N.W.2d at 210.

IT IS HEREBY ORDERED:

1. The district court’s judgment is affirmed.
2. Pursuant to Minn. R. Civ. App. P. 136.01, subd. 1(c), this order opinion is nonprecedential, except as law of the case, res judicata, or collateral estoppel.

Dated: June 23, 2025

BY THE COURT

Judge JaPaul J. Harris