
STATUTE OF LIMITATION - MINNESOTA

Ringsred v. City of Duluth

Supreme Court of Minnesota - September 13, 2023 - N.W.2d - 2023 WL 5944262

Plaintiff, an individual who had once owned certain real property in city and who had been involved in litigation with city related to that property, brought action against city, newspaper, and other defendants, alleging, among other claims, a § 1983 claim against city for allegedly interfering with plaintiff's First Amendment free-speech rights by making false statements and taking other retaliatory action against him because of his prior lawsuits and public opposition to city's actions.

The District Court dismissed certain claims for failure to state a claim, specifically holding that plaintiff's First Amendment retaliation claim against city was time-barred, granted summary judgment to defendants on other claims, and denied leave to amend. On plaintiff's appeal, the Court of Appeals affirmed on some issues but reversed as to dismissal of plaintiff's First Amendment retaliation claim against city, holding that the statute of limitations was tolled under the continuing-violation doctrine. City petitioned for further review only on the timeliness of plaintiff's First Amendment retaliation claim.

The Supreme Court held that the continuing-violation doctrine, assuming it could apply, did not render timely plaintiff's claims alleging that, outside the six-year limitations period, city wrongly retaliated against him for exercising his First Amendment free-speech rights, because each alleged act of retaliation was a discrete act that was actionable when it was committed.

Even if the continuing-violation doctrine could apply under Minnesota law for purposes of determining the timeliness of a § 1983 claim for First Amendment retaliation, the doctrine did not apply to render timely plaintiff's claims alleging that, outside the six-year limitations period, city interfered with his First Amendment free-speech rights by making false statements and taking other retaliatory action against him because of his prior lawsuits and public opposition to city's actions related to certain property in city, because each alleged act of retaliation, such as city's alleged interference with his ability to buy the property as retaliation for his prior speech, was a discrete act that was actionable when it was committed.

Copyright © 2026 Bond Case Briefs | bondcasebriefs.com