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United States Court of Appeals For the First Circuit

No. 04-1420

JOHN C. MCCARTHY,
Plaintiff, Appellant,

v.

TOWN OF MILFORD, FREDERICK G. DOUGLAS,
and JAMES F. MULLA,

Defendants, Appellees.

APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

[Hon. Steven J. McAuliffe, U.S. District Judge]

Before

Boudin, Chief Judge,

Lynch, Circuit Judge,

and Schwarzer,* Senior District Judge.

Thomas B. Merritt on brief for appellant.
Donald E. Gardner, Pamela N. Morales and Devine, Millimet & Branch, P.A. on brief for appellees.

September 29, 2004

*Of the Northern District of California, sitting by designation.

Per Curiam. John C. McCarthy appeals from summary judgment against him on his 42 U.S.C. § 1983 (2000) claims against the town of Milford, N.H., and various members of its police force. After careful review of the record and the parties' briefs, we affirm.

Substantially for the reasons given by the district court, we conclude that there was probable cause to arrest McCarthy for making false statements to law enforcement officers; given the state of police knowledge, the officers involved were under no obligation to conduct further investigation, see Forest v. Pawtucket Police Dep't, 377 F.3d 52, 57 (1st Cir. 2004). The arrest being supported by probable cause, we need not consider whether there was probable cause to arrest McCarthy for the alleged disorderly conduct violation on which the statute of limitations had already run.

As McCarthy's federal claims depend upon his assertion that he was arrested without probable cause, we affirm the district court's grant of summary judgment against him on those claims and its dismissal of his supplemental state-law claims.

Affirmed.