



Monell v. Department of Social Services of City of New York

Supreme Court of the United States | June 6, 1978 | 436 U.S. 658 | 98 S.Ct. 2018

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98 S.Ct. 2018
Supreme Court of the United States

Jane MONELL et al., Petitioners,

v.

DEPARTMENT OF SOCIAL SERVICES OF the CITY OF NEW YORK et al.

No. 75-1914.

|

Argued Nov. 2, 1977.

|

Decided June 6, 1978.

Synopsis

Female employees of the Department of Social Services and the Board of Education of the City of New York brought an action challenging the policies of those bodies in requiring pregnant employees to take unpaid leaves of absence before those leaves were required for medical reasons. The United States District Court for the Southern District of New York, 394 F.Supp. 853, found the practice unconstitutional but denied claims for back pay. The Court of Appeals, 532 F.2d 259, affirmed and certiorari was granted. The Supreme Court, Mr. Justice Brennan, held that: (1) local government units were “persons” for purposes of § 1983, the Civil Rights Act of 1871; (2) local governments could not be held liable under a theory of respondeat superior but rather could be held liable only when the constitutional deprivation arises from a governmental custom; (3) the Tenth Amendment did not impose any impediment to liability; (4) the Eleventh Amendment did not preclude imposition of liability except with respect to local government units which are part of the state for Eleventh Amendment purposes; (5) local government officials sued in their official capacity are “persons” under § 1983 in those cases in which local government is suable in its own name, and (6) the deprivation complained of in the instant case arose out of official policy.

Reversed.

Mr. Justice Powell filed a concurring opinion.

Mr. Justice Stevens filed an opinion concurring in part.

Mr. Justice Rehnquist filed a dissenting opinion in which Mr. Chief Justice Burger concurred.

West Headnotes (7)

[I] Civil Rights 🔑 Liability of Municipalities and Other Governmental Bodies

[78 Civil Rights](#)

[78III Federal Remedies in General](#)

[78k1342 Liability of Municipalities and Other Governmental Bodies](#)

[78k1343 In general](#)

(Formerly 78k206(1), 78k13.7)

Municipalities and other local government units are included among those “persons” to whom the Civil Rights Act of 1871 applies; overruling *Monroe v. Pape*, 365 U.S. 167, 81 S.Ct. 473, 5 L.Ed.2d 492. 42 U.S.C.A. § 1983.

1559 Cases that cite this headnote

[2] **Civil Rights** ↗ Liability of Municipalities and Other Governmental Bodies

Civil Rights ↗ States and territories and their agencies and instrumentalities, in general

Federal Courts ↗ Political Subdivisions

78 Civil Rights

78III Federal Remedies in General

78k1342 Liability of Municipalities and Other Governmental Bodies

78k1343 In general

(Formerly 78k206(1), 78k13.7)

78 Civil Rights

78III Federal Remedies in General

78k1342 Liability of Municipalities and Other Governmental Bodies

78k1344 States and territories and their agencies and instrumentalities, in general

(Formerly 78k206(1), 78k13.7)

170B Federal Courts

170BV Suits Against States; Eleventh Amendment and Sovereign Immunity

170Bk2379 What Are Suits Against States; Entities and Individuals Entitled to Immunity

170Bk2383 Political Subdivisions

170Bk2383(1) In general

(Formerly 170Bk270)

The Tenth Amendment does not impose any constitutional impediment to municipal liability for violation of a person's civil rights and the Eleventh Amendment is no bar to liability except for those local government units which are considered part of the state for the purposes of that Amendment. 42 U.S.C.A. § 1983; U.S.C.A.Const. Amends. 10, 11.

2176 Cases that cite this headnote

[3] **Civil Rights** ↗ Liability of Public Employees and Officials

78 Civil Rights

78III Federal Remedies in General

78k1353 Liability of Public Employees and Officials

78k1354 In general

(Formerly 78k207(1), 78k13.7)

Local government officials sued in their official capacities are “persons” for purposes of the Civil Rights Act of 1871 in those cases in which a local government would be suable in its own name. 42 U.S.C.A. § 1983.

4890 Cases that cite this headnote

[4] **Civil Rights** ↗ Governmental Ordinance, Policy, Practice, or Custom

78 Civil Rights

78III Federal Remedies in General

78k1342 Liability of Municipalities and Other Governmental Bodies

78k1351 Governmental Ordinance, Policy, Practice, or Custom

[78k1351\(1\)](#) In general

(Formerly 78k206(3), 78k13.7)

Local governments may be sued for constitutional deprivations visited pursuant to governmental custom even though such a custom has not received formal approval through the body's official decision-making channels. [42 U.S.C.A. § 1983](#).

[15273 Cases that cite this headnote](#)

[5] **Civil Rights** Acts of officers and employees in general; vicarious liability and respondeat superior in general

[78 Civil Rights](#)

[78III Federal Remedies in General](#)

[78k1342 Liability of Municipalities and Other Governmental Bodies](#)

[78k1345 Acts of officers and employees in general; vicarious liability and respondeat superior in general](#)

(Formerly 78k206(2.1), 78k206(2), 78k13.7)

A municipality cannot be held liable for violation of civil rights solely because employee is a tort-feasor; a municipality cannot be held liable under the Civil Rights Act of 1871 on a respondeat superior theory. [42 U.S.C.A. § 1983](#).

[25782 Cases that cite this headnote](#)

[6] **Civil Rights** Employment practices

[78 Civil Rights](#)

[78III Federal Remedies in General](#)

[78k1342 Liability of Municipalities and Other Governmental Bodies](#)

[78k1351 Governmental Ordinance, Policy, Practice, or Custom](#)

[78k1351\(5\) Employment practices](#)

(Formerly 78k206(3), 78k13.7)

Alleged policy of a Department of Social Services and the Board of Education of the City of New York in requiring pregnant employees to take unpaid leaves of absence before those leaves are required for medical reasons involved official policy as the moving force of the alleged constitutional violation so that those bodies could be sued and held liable for the equitable relief of back pay under the Civil Rights Act of 1871. [42 U.S.C.A. § 1983](#).

[22843 Cases that cite this headnote](#)

[7] **Civil Rights** Municipalities and counties and their officers

[78 Civil Rights](#)

[78III Federal Remedies in General](#)

[78k1372 Privilege or Immunity; Good Faith and Probable Cause](#)

[78k1376 Government Agencies and Officers](#)

[78k1376\(4\) Municipalities and counties and their officers](#)

(Formerly 78k214(4), 78k13.8(3))

Municipal body sued under the Civil Rights Act of 1871 cannot be entitled to an absolute immunity. [42 U.S.C.A. § 1983](#).

[1239 Cases that cite this headnote](#)

****2019 Syllabus***

* The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States v. Detroit Timber & Lumber Co.*, 200 U.S. 321, 337, 26 S.Ct. 282, 287, 50 L.Ed. 499.

***658** Petitioners, female employees of the Department of Social Services and the Board of Education of the City of New York, brought this class action against the Department and its Commissioner, the Board and its Chancellor, and the city of New York and its Mayor under [42 U.S.C. § 1983](#), which provides that every “person” who, under color of any statute, ordinance, regulation, custom, or usage of any State subjects, or “causes to be subjected,” any person to the deprivation of any federally protected rights, privileges, or immunities shall be civilly liable to the injured party. In each case, the individual defendants were sued solely in their official capacities. The gravamen of the complaint was that the Board and the Department had as a matter of official policy compelled pregnant employees to take unpaid leaves of absence before such leaves were required for medical reasons. The District Court found that petitioners' constitutional rights had been violated, but held that petitioners' claims for injunctive relief were mooted by a supervening change in the official maternity leave policy. That court further held that *Monroe v. Pape*, 365 U.S. 167, 81 S.Ct. 473, 5 L.Ed.2d 492, barred recovery of back pay from the Department, the Board, and the city. In addition, to avoid circumvention of the immunity conferred by *Monroe*, the District Court held that natural persons sued in their official capacities as officers of a local government also enjoy the immunity conferred on local governments by that decision. The Court of Appeals affirmed on a similar theory. *Held*:

1. In *Monroe v. Pape*, *supra*, after examining the legislative history of the Civil Rights Act of 1871, now codified as [42 U.S.C. § 1983](#), and particularly the rejection of the so-called Sherman amendment, the Court held that Congress in 1871 doubted its constitutional authority to impose civil liability on municipalities and therefore could not have intended to include municipal bodies within the class of “persons” subject to the Act. Re-examination of this legislative history compels the conclusion that Congress in 1871 would *not* have thought [§ 1983](#) constitutionally infirm if it applied to local governments. In addition, that history confirms that local governments were intended to be included ***659** among the “persons” to which [§ 1983](#) applies. Accordingly, *Monroe v. Pape* is overruled insofar as it holds that local governments are wholly immune from suit under [§ 1983](#). Pp. 2022–2035.

2. Local governing bodies (and local officials sued in their official capacities) can, therefore, be sued directly under [§ 1983](#) for monetary, declaratory, and injunctive relief in those situations where, as here, the action that is alleged to be unconstitutional implements or executes a policy statement, ordinance, regulation, or decision officially adopted or promulgated by those whose edicts or acts may fairly be said to represent official policy. In addition, local governments, like every other [§ 1983](#) “person,” may be sued for constitutional deprivations visited pursuant to governmental “custom” even though such custom has not received formal approval through the government's official decision-making channels. Pp. 2035–2036.

3. On the other hand, the language and legislative history of [§ 1983](#) compel the conclusion that Congress did not intend a local government to be held liable solely because it employs a tort-feasor—in other words, a local government cannot be held liable under [§ 1983](#) on a *respondeat superior* theory. Pp. 2036–2038.

4. Considerations of *stare decisis* do not counsel against overruling *Monroe v. Pape* insofar as it is inconsistent with this opinion. Pp. 2038–2041.

****2020** (a) *Monroe v. Pape* departed from prior practice insofar as it completely immunized municipalities from suit under [§ 1983](#). Moreover, since the reasoning of *Monroe* does not allow a distinction to be drawn between municipalities and school boards, this Court's many cases holding school boards liable in [§ 1983](#) actions are

inconsistent with *Monroe*, especially as the principle of that case was extended to suits for injunctive relief in *City of Kenosha v. Bruno*, 412 U.S. 507, 93 S.Ct. 2222, 37 L.Ed.2d 109. Pp. 2038–2039.

(b) Similarly, extending absolute immunity to school boards would be inconsistent with several instances in which Congress has refused to immunize school boards from federal jurisdiction under § 1983. Pp. 2038–2040.

(c) In addition, municipalities cannot have arranged their affairs on an assumption that they can violate constitutional rights for an indefinite period; accordingly, municipalities have no reliance interest that would support an absolute immunity. Pp. 2040–2041.

(d) Finally, it appears beyond doubt from the legislative history of the Civil Rights Act of 1871 that *Monroe* misapprehended the meaning of the Act. Were § 1983 unconstitutional as to local governments, it would have been equally unconstitutional as to state or local officers, *660 yet the 1871 Congress clearly intended § 1983 to apply to such officers and all agreed that such officers could constitutionally be subjected to liability under § 1983. The Act also unquestionably was intended to provide a remedy, to be broadly construed, against all forms of official violation of federally protected rights. Therefore, without a clear statement in the legislative history, which is not present, there is no justification for excluding municipalities from the “persons” covered by § 1983. Pp. 2040–2041.

5. Local governments sued under § 1983 cannot be entitled to an absolute immunity, lest today's decision “be drained of meaning,” *Scheuer v. Rhodes*, 416 U.S. 232, 248, 94 S.Ct. 1683, 1692, 40 L.Ed.2d 90. P. 2041.

532 F.2d 259, reversed.

Attorneys and Law Firms

Oscar G. Chase, Brooklyn, N. Y., for petitioners.

L. Kevin Sheridan, New York City, for respondents.

Opinion

Mr. Justice BRENNAN delivered the opinion of the Court.

Petitioners, a class of female employees of the Department of Social Services and of the Board of Education of the city of New York, commenced this action under 42 U.S.C. § 1983 in July 1971.¹ The gravamen of the complaint was that the *661 Board and the Department had as a matter of official policy compelled pregnant employees to take unpaid leaves of absence before such leaves were required for medical reasons.² Cf. **2021 *Cleveland Board of Education v. LaFleur*, 414 U.S. 632, 94 S.Ct. 791, 39 L.Ed.2d 52 (1974). The suit sought injunctive relief and backpay for periods of unlawful forced leave. Named as defendants in the action were the Department and its Commissioner, the Board and its Chancellor, and the city of New York and its Mayor. In each case, the individual defendants were sued solely in their official capacities.³

¹ The complaint was amended on September 14, 1972, to allege a claim under Title VII of the Civil Rights Act of 1964, 78 Stat. 253, as amended, 42 U.S.C. § 2000e et seq. (1970 ed. and Supp. V). The District Court held that the 1972 amendments to Title VII did not apply retroactively to discrimination suffered prior to those amendments even when an action challenging such prior discrimination was pending on the date of the amendments. 394 F.Supp. 853, 856 (SDNY 1975). This holding was affirmed on appeal. 532 F.2d 259, 261–262 (CA2 1976). Although petitioners sought certiorari on the Title VII issue as well as the § 1983 claim, we restricted our grant of certiorari to the latter issue. 429 U.S. 1071, 97 S.Ct. 807, 50 L.Ed.2d 789.

2 The plaintiffs alleged that New York had a citywide policy of forcing women to take maternity leave after the fifth month of pregnancy unless a city physician and the head of an employee's agency allowed up to an additional two months of work. Amended Complaint ¶ 28, App. 13–14. The defendants did not deny this, but stated that this policy had been changed after suit was instituted. Answer ¶ 13, App. 32–33. The plaintiffs further alleged that the Board had a policy of requiring women to take maternity leave after the seventh month of pregnancy unless that month fell in the last month of the school year, in which case the teacher could remain through the end of the school term. Amended Complaint ¶¶ 39, 42, 45, App. 18–19, 21. This allegation was denied. Answer ¶¶ 18, 22, App. 35, 37.

3 Amended Complaint ¶ 24, App. 11–12.

On cross-motions for summary judgment, the District Court for the Southern District of New York held moot petitioners' claims for injunctive and declaratory relief since the City of New York and the Board, after the filing of the complaint, had changed their policies relating to maternity leaves so that no pregnant employee would have to take leave unless she was medically unable to continue to perform her job. [394 F.Supp. 853, 855 \(1975\)](#). No one now challenges this conclusion. *662 The court did conclude, however, that the acts complained of were unconstitutional under *LaFleur, supra*. [394 F.Supp., at 855](#). Nonetheless plaintiffs' prayers for backpay were denied because any such damages would come ultimately from the City of New York and, therefore, to hold otherwise would be to "circumven[t]" the immunity conferred on municipalities by [Monroe v. Pape, 365 U.S. 167, 81 S.Ct. 473, 5 L.Ed.2d 492 \(1961\)](#). See [394 F.Supp., at 855](#).

On appeal, petitioners renewed their arguments that the Board of Education⁴ was not a "municipality" within the meaning of *Monroe v. Pape, supra*, and that, in any event, the District Court had erred in barring a damages award against the individual defendants. The Court of Appeals for the Second Circuit rejected both contentions. The court first held that the Board of Education was not a "person" under § 1983 because "it performs a vital governmental function . . . , and, significantly, while it has the right to determine how the funds appropriated to it shall be spent . . . , it has no final say in deciding what its appropriations shall be." [532 F.2d 259, 263 \(1976\)](#). The individual defendants, however, were "persons" under § 1983, even when sued solely in their official capacities. [532 F.2d, at 264](#). Yet, because a damages award would "have to be paid by a city that was held not to be amenable to such an action in *Monroe v. Pape*," a damages action against officials sued in their official capacities could not proceed. *Id.*, at 265.

4 Petitioners conceded that the Department of Social Services enjoys the same status as New York City for *Monroe* purposes. See [532 F.2d, at 263](#).

We granted certiorari in this case, [429 U.S. 1071, 97 S.Ct. 807, 50 L.Ed.2d 789](#), to consider "Whether local governmental officials and/or local independent school boards are 'persons' within the meaning of 42 U.S.C. § 1983 when equitable relief in the nature of back pay is sought against them in their official capacities?" Pet. for Cert. 8.

*663 Although, after plenary consideration, we have decided the merits of over a score of cases brought under § 1983 in which the principal defendant was a school board⁵ ***2022 —and, indeed, in some of which § 1983 and its jurisdictional counterpart, [28 U.S.C. § 1343](#), provided the only basis for jurisdiction⁶—we indicated in *Mt. Healthy City Board of Education v. Doyle*, [429 U.S. 274, 279, 97 S.Ct. 568, 573, 50 L.Ed.2d 471 \(1977\)](#), last Term that the question presented here was open and would be decided "another day." That other day has come and we now overrule *Monroe v. Pape, supra*, insofar as it holds that local governments are wholly immune from suit under § 1983.⁷

5 *Milliken v. Bradley*, [433 U.S. 267, 97 S.Ct. 2749, 53 L.Ed.2d 745 \(1977\)](#); *Dayton Board of Education v. Brinkman*, [433 U.S. 406, 97 S.Ct. 2766, 53 L.Ed.2d 851 \(1977\)](#); *Vorcheimer v. School District of Philadelphia*, [430 U.S. 703, 97 S.Ct. 1671, 51 L.Ed.2d 750 \(1977\)](#); *East Carroll Parish School Board v. Marshall*, [424 U.S. 636, 96 S.Ct. 1083, 47 L.Ed.2d 296 \(1976\)](#); *Milliken v. Bradley*, [418 U.S. 717, 94 S.Ct. 3112, 41 L.Ed.2d 1069 \(1974\)](#); *Bradley v. School*

Board of City of Richmond, 416 U.S. 696, 94 S.Ct. 2006, 40 L.Ed.2d 476 (1974); *Cleveland Board of Education v. LaFleur*, 414 U.S. 632, 94 S.Ct. 791, 39 L.Ed.2d 52 (1974); *Keyes v. School District No. 1, Denver, Colo.*, 413 U.S. 189, 93 S.Ct. 2686, 37 L.Ed.2d 548 (1973); *San Antonio School District v. Rodriguez*, 411 U.S. 1, 93 S.Ct. 1278, 36 L.Ed.2d 16 (1973); *Swann v. Charlotte-Mecklenburg Board of Education*, 402 U.S. 1, 91 S.Ct. 1267, 28 L.Ed.2d 554 (1971); *Northcross v. City of Memphis Board of Education*, 397 U.S. 232, 90 S.Ct. 891, 25 L.Ed.2d 246 (1970); *Carter v. West Feliciana Parish School Board*, 396 U.S. 226, 90 S.Ct. 467, 24 L.Ed.2d 382 (1969); *Alexander v. Holmes County Board of Education*, 396 U.S. 19, 90 S.Ct. 29, 24 L.Ed.2d 19 (1969); *Kramer v. Union Free School District*, 395 U.S. 621, 89 S.Ct. 1886, 23 L.Ed.2d 583 (1969); *Tinker v. Des Moines Independent School District*, 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969); *Monroe v. Board of Comm'r's*, 391 U.S. 450, 88 S.Ct. 1700, 20 L.Ed.2d 733 (1968); *Raney v. Board of Education*, 391 U.S. 443, 88 S.Ct. 1697, 20 L.Ed.2d 727 (1968); *Green v. County School Board of New Kent County, Va.*, 391 U.S. 430, 88 S.Ct. 1689, 20 L.Ed.2d 716 (1968); *School District of Abington Township v. Schempp*, 374 U.S. 203, 83 S.Ct. 1560, 10 L.Ed.2d 844 (1963); *Goss v. Board of Education*, 373 U.S. 683, 83 S.Ct. 1405, 10 L.Ed.2d 632 (1963); *McNeese v. Board of Education*, 373 U.S. 668, 83 S.Ct. 1433, 10 L.Ed.2d 622 (1963); *Orleans Parish School Board v. Bush*, 365 U.S. 569, 81 S.Ct. 754, 5 L.Ed.2d 806 (1961); *Brown v. Board of Education*, 347 U.S. 483, 74 S.Ct. 686, 98 L.Ed. 873 (1954).

⁶ *Cleveland Board of Education v. LaFleur*; *supra*, 414 U.S., at 636, 94 S.Ct., at 792; App., in *Keyes v. School District No. 1, Denver Colo.*, 413 U.S. 189, 93 S.Ct. 2686, 37 L.Ed.2d 548; App., in *Swann v. Charlotte-Mecklenburg Board of Education*, 402 U.S. 1, 91 S.Ct. 1267, 28 L.Ed.2d 554; Pet. for Cert. in *Northcross v. Memphis Board of Education*, 397 U.S. 232, 90 S.Ct. 891, 25 L.Ed.2d 246; *Tinker v. Des Moines Independent School District*, *supra*, 393 U.S., at 504, 89 S.Ct., at 735; *McNeese v. Board of Education*, *supra*, 373 U.S., at 671, 83 S.Ct., at 1435.

⁷ However, we do uphold *Monroe v. Pape*, insofar as it holds that the doctrine of *respondeat superior* is not a basis for rendering municipalities liable under § 1983 for the constitutional torts of their employees. See Part II, *infra*.

*664 I

In *Monroe v. Pape*, we held that “Congress did not undertake to bring municipal corporations within the ambit of [§ 1983].” 365 U.S., at 187, 81 S.Ct. at 484. The sole basis for this conclusion was an inference drawn from Congress’ rejection of the “Sherman amendment” to the bill which became the Civil Rights Act of 1871, 17 Stat. 13, the precursor of § 1983. The Amendment would have held a municipal corporation liable for damage done to the person or property of its inhabitants by *private* persons “riotously and tumultuously assembled.”⁸ Cong. Globe, 42d Cong., 1st Sess., 749 (1871) (hereinafter *Globe*). Although the Sherman amendment did not seek to amend § 1 of the Act, which is now § 1983, and although the nature of the obligation created by that amendment was vastly different from that created by § 1, the Court nonetheless concluded in *Monroe* that Congress must have meant to exclude municipal corporations from the coverage of § 1 because “‘the House [in voting against the Sherman amendment] had solemnly decided that in their judgment Congress had no constitutional power to impose any obligation upon county and town organizations, the mere instrumentality for the administration of state law.’” 365 U.S., at 190, 81 S.Ct. at 485 (emphasis added), quoting *Globe* 804 (Rep. Poland). This statement, we thought, showed that Congress doubted its “constitutional power . . . to impose *civil liability* on municipalities,” 365 U.S., at 190, 81 S.Ct. at 486 (emphasis added), and that such doubt would have extended to any type of civil liability.⁹

⁸ We expressly declined to consider “policy considerations” for or against municipal liability. See 365 U.S., at 191, 81 S.Ct., at 495.

⁹ Mr. Justice Douglas, the author of *Monroe*, has suggested that the municipal exclusion might more properly rest on a theory that Congress sought to prevent the financial ruin that civil rights liability might impose on municipalities. See *City of Kenosha v. Bruno*, 412 U.S. 507, 517–520, 93 S.Ct. 2222, 37 L.Ed.2d 109 (1973). However, this view has never been shared by the Court, see *Monroe v. Pape*, 365 U.S., at 190, 81 S.Ct., at 494; *Moor v. County of Alameda*, 411 U.S. 693, 708, 93 S.Ct. 1785, 1795, 36 L.Ed.2d 596 (1973), and the debates do not support this position.

***665** A fresh analysis of the debate on the Civil Rights Act of 1871, and particularly of the **2023 case law which each side mustered in its support, shows, however, that *Monroe* incorrectly equated the “obligation” of which Representative Poland spoke with “civil liability.”

A. An Overview

There are three distinct stages in the legislative consideration of the bill which became the Civil Rights Act of 1871. On March 28, 1871, Representative Shellabarger, acting for a House select committee, reported H.R. 320, a bill “to enforce the provisions of the fourteenth amendment to the Constitution of the United States, and for other purposes.” H.R. 320 contained four sections. Section 1, now codified as [42 U.S.C. § 1983](#), was the subject of only limited debate and was passed without amendment.¹⁰ Sections 2 through 4 dealt primarily with the “other purpose” of suppressing Ku Klux Klan violence in the Southern States.¹¹ The wisdom and constitutionality of these sections—not § 1, now [§ 1983](#)—were the subject of almost all congressional debate and each of these sections was amended. The House finished its initial debates on H.R. 320 on April 7, 1871, and one week later the Senate also voted out a bill.¹² Again, debate on § 1 of the bill was limited and that section was passed as introduced.

¹⁰ [Globe](#) 522.

¹¹ Briefly, § 2 created certain federal crimes in addition to those defined in § 2 of the 1866 Civil Rights Act, 14 Stat. 27, each aimed primarily at the Ku Klux Klan. Section 3 provided that the President could send the militia into any State wracked with Klan violence. Finally, § 4 provided for suspension of the writ of habeas corpus in enumerated circumstances, again primarily those thought to obtain where Klan violence was rampant. See [Cong. Globe](#), 42d Cong., 1st Sess., App. 335–336 (1871) (hereinafter [Globe App.](#)).

¹² [Globe](#) 709.

***666** Immediately prior to the vote on H.R. 320 in the Senate, Senator Sherman introduced his amendment.¹³ This was *not* an amendment to § 1 of the bill, but was to be added as § 7 at the end of the bill. Under the Senate rules, no discussion of the amendment was allowed and, although attempts were made to amend the amendment, it was passed as introduced. In this form, the amendment did *not* place liability on municipal corporations, but made any inhabitant of a municipality liable for damage inflicted by persons “riotously and tumultuously assembled.”¹⁴

¹³ See *id.*, at 663, quoted in Appendix to this opinion, *infra*, at 2041–2042.

¹⁴ *Ibid.* An action for recovery of damages was to be in the federal courts and denominated as a suit against the county, city, or parish in which the damage had occurred. *Ibid.* Execution of the judgment was not to run against the property of the government unit, however, but against the private property of any inhabitant. *Ibid.*

The House refused to acquiesce in a number of amendments made by the Senate, including the Sherman amendment, and the respective versions of H.R. 320 were therefore sent to a conference committee. Section 1 of the bill, however, was not a subject of this conference since, as noted, it was passed verbatim as introduced in both Houses of Congress.

On April 18, 1871, the first conference committee completed its work on H.R. 320. The main features of the conference committee draft of the Sherman amendment were these:¹⁵ First, a cause of action was given to persons injured by

¹⁵ See [Globe](#) 749 and 755, quoted in Appendix to this opinion, *infra*, at 2042.

“any persons riotously and tumultuously assembled together . . . with intent to deprive any person of any right conferred upon him by the Constitution and laws of the United States, or to deter him or punish him for exercising such right, or by reason of his race, color, or previous condition of servitude . . .”

*667 Second, the bill provided that the action would be against the county, city, or parish in which the riot had occurred and that it could be maintained by either the person **2024 injured or his legal representative. Third, unlike the amendment as proposed, the conference substitute made the government defendant liable on the judgment if it was not satisfied against individual defendants who had committed the violence. If a municipality were liable, the judgment against it could be collected

“by execution, attachment, mandamus, garnishment, or any other proceeding in aid of execution or applicable to the enforcement of judgments against municipal corporations; and such judgment [would become] a lien as well upon all moneys in the treasury of such county, city, or parish, as upon the other property thereof.”

In the ensuing debate on the first conference report, which was the first debate of any kind on the Sherman amendment, Senator Sherman explained that the purpose of his amendment was to enlist the aid of persons of property in the enforcement of the civil rights laws by making their property “responsible” for Ku Klux Klan damage.¹⁶ Statutes drafted on a similar theory, he stated, had long been in force in England and were in force in 1871 in a number of States.¹⁷ *668 Nonetheless there were critical differences between the conference substitute and extant state and English statutes: The conference substitute, unlike most state riot statutes, lacked a short statute of limitations and imposed liability on the government defendant whether or not it had notice of the impending riot, whether or not the municipality was authorized to exercise a police power, whether or not it exerted all reasonable efforts to stop the riot, and whether or not the rioters were caught and punished.¹⁸

¹⁶ Let the people of property in the southern States understand that if they will not make the hue and cry and take the necessary steps to put down lawless violence in those States their property will be holden responsible, and the effect will be most wholesome.” *Globe* 761.

Senator Sherman was apparently unconcerned that the conference committee substitute, unlike the original amendment, did not place liability for riot damage directly on the property of the well-to-do, but instead placed it on the local government. Presumably he assumed that taxes would be levied against the property of the inhabitants to make the locality whole.

¹⁷ According to Senator Sherman, the law had originally been adopted in England immediately after the Norman Conquest and had most recently been promulgated as the law of 7 & 8 Geo. 4, ch. 31 (1827). See *Globe* 760. During the course of the debates, it appeared that Kentucky, Maryland, Massachusetts, and New York had similar laws. See *id.*, at 751 (Rep. Shellabarger); *id.*, at 762 (Sen. Stevenson); *id.*, at 771 (Sen. Thurman); *id.*, at 792 (Rep. Butler). Such a municipal liability was apparently common throughout New England. See *id.*, at 761 (Sen. Sherman).

¹⁸ In the Senate, opponents, including a number of Senators who had voted for § 1 of the bill, criticized the Sherman amendment as an imperfect and impolitic rendering of the state statutes. Moreover, as drafted, the conference substitute could be construed to protect rights that were not protected by the Constitution. A complete critique was given by Senator Thurman. See *Globe* 770–772.

The first conference substitute passed the Senate but was rejected by the House. House opponents, within whose ranks were some who had supported § 1, thought the Federal Government could not, consistent with the Constitution, obligate municipal corporations to keep the peace if those corporations were neither so obligated nor so authorized by their state charters. And, because of this constitutional objection, opponents of the Sherman amendment were unwilling to impose damages liability for nonperformance of a duty which Congress could not require municipalities to perform. This position is reflected in Representative Poland’s statement that is quoted in *Monroe*.¹⁹

¹⁹ See 365 U.S., at 190, 81 S.Ct., at 494, quoted *supra*, at 2022–2023.

Because the House rejected the first conference report a second conference was called and it duly issued its report. The second conference substitute for the Sherman amendment abandoned municipal liability and, instead, made

“any person *669 or persons having knowledge [that a conspiracy to violate civil rights was afoot], and having power to prevent or aid in preventing **2025 the same,” who did not attempt to stop the same, liable to any person injured by the conspiracy.²⁰ The amendment in this form was adopted by both Houses of Congress and is now codified as 42 U.S.C. § 1986.

²⁰ See Globe 804, quoted in Appendix to this opinion, *infra*, at 2042–2043.

The meaning of the legislative history sketched above can most readily be developed by first considering the debate on the report of the first conference committee. This debate shows conclusively that the constitutional objections raised against the Sherman amendment—on which our holding in *Monroe* was based, see *supra*, at 2022–2023—would not have prohibited congressional creation of a civil remedy against state municipal corporations that infringed federal rights. Because § 1 of the Civil Rights Act does not state expressly that municipal corporations come within its ambit, it is finally necessary to interpret § 1 to confirm that such corporations were indeed intended to be included within the “persons” to whom that section applies.

B. Debate on the First Conference Report

The style of argument adopted by both proponents and opponents of the Sherman amendment in both Houses of Congress was largely legal, with frequent references to cases decided by this Court and the Supreme Courts of the several States. Proponents of the Sherman amendment did not, however, discuss in detail the argument in favor of its constitutionality. Nonetheless, it is possible to piece together such an argument from the debates on the first conference report and those on § 2 of the civil rights bill, which, because it allowed the Federal Government to prosecute crimes “in the States,” had also raised questions of federal power. The account of Representative Shellabarger, the House sponsor of H.R. 320, is the most complete.

*670 Shellabarger began his discussion of H.R. 320 by stating that “there is a domain of constitutional law involved in the right consideration of this measure which is wholly unexplored.” Globe, App. 67. There were analogies, however. With respect to the meaning of § 1 of the Fourteenth Amendment, and particularly its Privileges or Immunities Clause, Shellabarger relied on the statement of Mr. Justice Washington in *Corfield v. Coryell*, 3 F.Cas. 230, 4 Wash.C.C. 371 (CC ED Pa.1825), which defined the privileges protected by Art. IV: “‘What these fundamental privileges are[,] it would perhaps be more tedious than difficult to enumerate. They may, however, be all comprehended under the following general heads: protection by the Government;’—

“Mark that—

“‘protection by the Government; the enjoyment of life and liberty, with the right to acquire and possess property of every kind, and to pursue and obtain happiness and safety’” Globe App. 69 (emphasis added), quoting 4 Wash.C.C., at 380–381.

Building on his conclusion that citizens were owed protection—a conclusion not disputed by opponents of the Sherman amendment²¹—Shellabarger then considered Congress’ role in providing that protection. Here again there were precedents:

²¹ See Globe 758 (Sen. Trumbull); *id.*, at 772 (Sen. Thurman); *id.*, at 791 (Rep. Willard). The Supreme Court of Indiana had so held in giving effect to the Civil Rights Act of 1866. See *Smith v. Moody*, 26 Ind. 299 (1866) (following *Coryell*), one of three State Supreme Court cases referred to in Globe App. 68 (Rep. Shellabarger). Moreover, § 2 of the 1871 Act as passed, unlike § 1, prosecuted persons who violated federal rights whether or not that violation was under color of official authority, apparently on the theory that Ku Klux Klan violence was infringing the right of protection defined by *Coryell*. Nonetheless, opponents argued that municipalities were not generally charged by the States with keeping the peace and hence did not have police forces, so that the duty to afford protection ought not devolve on the

municipality, but on whatever agency of state government was charged by the State with keeping the peace. See *infra*, at 2027, and n. 30. In addition, they argued that Congress could not constitutionally add to the duties of municipalities. See *infra*, at 2027–2030.

****2026** “[Congress has always] assumed to enforce, as against *671 the States, and also persons, every one of the provisions of the Constitution. Most of the provisions of the Constitution which restrain and directly relate to the States, such as those in [Art. I, § 10,] relate to the divisions of the political powers of the State and General Governments. . . . These prohibitions upon political powers of the States are all of such nature that they can be, and even have been, . . . enforced by the courts of the United States declaring void all State acts of encroachment on Federal powers. Thus, and thus sufficiently, has the United States ‘enforced’ these provisions of the Constitution. But there are some that are not of this class. These are where the court secures the rights or the liabilities of persons within the States, as between such persons and the States.

“These three are: first, that as to fugitives from justice;[22] second, that as to fugitives from service, (or slaves;) [23] third, that declaring that the ‘citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States.’ [24]

22 U.S. Const., Art. IV, § 2, cl. 2:

“A person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.”

23 *Id.*, cl. 3:

“No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.”

24 *Id.*, cl. 1.

***672** “And, sir, every one of these—the only provisions where it was deemed that legislation was required to enforce the constitutional provisions—the only three where the rights or liabilities of persons in the States, as between these persons and the States, are directly provided for, Congress has by legislation affirmatively interfered to protect . . . such persons.” Globe App. 69–70.

Of legislation mentioned by Shellabarger, the closest analog of the Sherman amendment, ironically, was the statute implementing the fugitives from justice and fugitive slave provisions of Art. IV—the Act of Feb. 12, 1793, 1 Stat. 302—the constitutionality of which had been sustained in 1842, in *Prigg v. Pennsylvania*, 16 Pet. 539, 10 L.Ed. 1060. There, Mr. Justice Story, writing for the Court, held that Art. IV gave slaveowners a federal right to the unhindered possession of their slaves in whatever State such slaves might be found. 16 Pet., at 612. Because state process for recovering runaway slaves might be inadequate or even hostile to the rights of the slaveowner, the right intended to be conferred could be negated if left to state implementation. *Id.*, at 614. Thus, since the Constitution guaranteed the right and this in turn required a remedy, Story held it to be a “natural inference” that Congress had the power itself to ensure an appropriate (in the Necessary and Proper Clause sense) remedy for the right. *Id.*, at 615.

Building on *Prigg*, Shellabarger argued that a remedy against municipalities and counties was an appropriate—and hence constitutional—method for ensuring the protection which the Fourteenth Amendment made every citizen's federal right.²⁵ This much was clear from the adoption of such statutes by the several States as devices for suppressing riot.²⁶ Thus, said Shellabarger, the only serious question remaining *673 was “whether, since a county is an integer or part of a State, the United States can impose upon it, as such, *any obligations to keep the*

peace in obedience to United **2027 States laws.”²⁷ This he answered affirmatively, citing *Board of Comm’rs v. Aspinwall*, 24 How. 376, 16 L.Ed. 735 (1861), the first of many cases²⁸ upholding the power of federal courts to enforce the Contract Clause against municipalities.²⁹

²⁵ See Globe 751. See also *id.*, at 760 (Sen. Sherman) (“If a State may . . . pass a law making a county . . . responsible for a riot in order to deter such crime, then we may pass the same remedies . . .”).

²⁶ *Id.*, at 751; see n. 17, *supra*.

²⁷ Globe 751 (emphasis added). Compare this statement with Representative Poland’s remark upon which our holding in *Monroe* was based. See *supra*, at 2022–2023.

²⁸ See, e.g., *Gelpcke v. City of Dubuque*, 68 U.S. 175, 1 Wall. 175, 17 L.Ed. 519 (1864); *Von Hoffman v. City of Quincy*, 71 U.S. 535, 4 W all. 535, 18 L.Ed. 403 (1867); *Riggs v. Johnson County*, 73 U.S. 166, 6 Wall. 166, 18 L.Ed. 768 (1868); *Weber v. Lee County*, 73 U.S. 210, 6 W all. 210, 18 L.Ed. 781 (1868); *Supervisors v. Rogers*, 74 U.S. 175, 7 W all. 175, 19 L.Ed. 162 (1869); *Benbow v. Iowa City*, 74 U.S. 313, 7 W all. 313, 19 L.Ed. 79 (1869); *Supervisors v. Durant*, 76 U.S. 415, 9 W all. 415, 19 L.Ed. 732 (1870). See generally 6 C. Fairman, History of the Supreme Court of the United States: Reconstruction and Reunion, 1864–1888, chs. 17–18 (1971).

²⁹ See Globe 751–752.

House opponents of the Sherman amendment—whose views are particularly important since only the House voted down the amendment—did not dispute Shellabarger’s claim that the Fourteenth Amendment created a federal right to protection, see n. 21, *supra*, but they argued that the local units of government upon which the amendment fastened liability were not obligated to keep the peace at state law and further that the Federal Government could not constitutionally require local governments to create police forces, whether this requirement was levied directly, or indirectly by imposing damages for breach of the peace on municipalities. The most complete statement of this position is that of Representative Blair:³⁰

³⁰ Others taking a view similar to Representative Blair’s included: Representative Willard, see *id.*, at 791; Representative Poland, see *id.*, at 794; Representative Burchard, see *id.*, at 795; Representative Farnsworth, see *id.*, at 799. Representative Willard also took a somewhat different position. He thought that the Constitution would not allow the Federal Government to dictate the manner in which a State fulfilled its obligation of protection. That is, he thought it a matter of state discretion whether it delegated the peacekeeping power to a municipal or county corporation, to a sheriff, etc. He did not doubt, however, that the Federal Government could impose on the *States* the obligation imposed by the Sherman amendment, and presumably he would have enforced the amendment against a municipal corporation to which the peacekeeping obligation had been delegated. See *id.*, at 791.

Opponents of the Sherman amendment in the Senate agreed with Blair that Congress had no power to pass the Sherman amendment because it fell outside limits on national power implicit in the federal structure of the Constitution and recognized in, e.g., *Collector v. Day*, 11 Wall. 113, 20 L.Ed. 122 (1871). However, the Senate opponents focused not on the amendment’s attempt to obligate municipalities to keep the peace, but on the lien created by the amendment, which ran against *all* money and property of a defendant municipality, including property held for public purposes, such as jails or courthouses. Opponents argued that such a lien once entered would have the effect of making it impossible for the municipality to function, since no one would trade with it. See, e.g., Globe 762 (Sen. Stevenson); *id.*, at 763 (Sen. Casserly). Moreover, everyone knew that sound policy prevented execution against public property since this, too, was needed if local government was to survive. See, e.g., *ibid.* See also *Meriwether v. Garrett*, 102 U.S. 472, 501, 513, 26 L.Ed. 197 (1880) (recognizing principle that public property of a municipality was not subject to execution); 2 J. Dillon, *The Law of Municipal Corporations* §§ 445–446 (1873 ed.) (same).

Although the arguments of the Senate opponents appear to be a correct analysis of then-controlling constitutional and common-law principles, their arguments are not relevant to an analysis of the constitutionality of § 1 of the Civil Rights Act since any judgment under that section, as in any civil suit in the federal courts in 1871, would have been enforced pursuant to *state* laws under the Process Acts of 1792 and 1828. See Act of May 8, 1792, ch. 36, 1 Stat. 275; Act of May 19, 1828, 4 Stat. 278.

"The proposition known as the Sherman amendment *674 . . . is entirely new. It is altogether without a precedent in this country. . . . That amendment claims the power in the General Government to go into the States of this Union and lay such obligations as it may please upon the municipalities, which are the creations of the States alone. . . .

**2028 ". . . [H]ere it is proposed, not to carry into effect an obligation which rests upon the municipality, but to *675 create that obligation, and that is the provision I am unable to assent to. The parallel of the hundred does not in the least meet the case. The power that laid the obligation upon the hundred first put the duty upon the hundred that it should perform in that regard, and failing to meet the obligation which had been laid upon it, it was very proper that it should suffer damage for its neglect. . . .

". . . [T]here are certain rights and duties that belong to the States, . . . there are certain powers that inhere in the State governments. They create these municipalities, they say what their powers shall be and what their obligations shall be. If the Government of the United States can step in and add to those obligations, may it not utterly destroy the municipality? If it can say that it shall be liable for damages occurring from a riot, . . . where [will] its power . . . stop and what obligations . . . might [it] not lay upon a municipality. . . .

"Now, only the other day, the Supreme Court . . . decided [in *Collector v. Day*, 11 Wall. 113, 20 L.Ed. 122 (1871)] that there is no power in the Government of the United States, under its authority to tax, to tax the salary of a State officer. Why? Simply because the power to tax involves the power to destroy, and it was not the intent to give the Government of the United States power to destroy the government of the States in any respect. It was held also in the case of *Prigg v. Pennsylvania*, 16 Pet. 539, 10 L.Ed. 1060 (1842) that it is not within the power of the Congress of the United States to lay duties upon a State officer; that we cannot command a State officer to do any duty whatever, as such; and I ask . . . the difference between that and commanding a municipality, which is equally the creature of the State, to perform a duty." *Globe* 795.

Any attempt to impute a unitary constitutional theory to opponents of the Sherman amendment is, of course, fraught *676 with difficulties, not the least of which is that most Members of Congress did not speak to the issue of the constitutionality of the amendment. Nonetheless, two considerations lead us to conclude that opponents of the Sherman amendment found it unconstitutional substantially because of the reasons stated by Representative Blair: First, Blair's analysis is precisely that of Poland, whose views were quoted as authoritative in *Monroe*, see *supra*, at 2022–2023, and that analysis was shared in large part by all House opponents who addressed the constitutionality of the Sherman amendment.³¹ Second, Blair's exegesis of the reigning constitutional theory of his day, as we shall explain, was clearly supported by precedent—albeit precedent that has not survived, see *Ex parte Virginia*, 100 U.S. 339, 347–348, 25 L.Ed. 676 (1880); *Graves v. New York ex rel. O'Keefe*, 306 U.S. 466, 486, 59 S.Ct. 595, 83 L.Ed. 927 (1939)—and no other constitutional formula was advanced by participants in the House debates.

³¹ See n. 30, *supra*.

Collector v. Day, cited by Blair, was the clearest and, at the time of the debates, the most recent pronouncement of a doctrine of coordinate sovereignty that, as Blair stated, placed limits on even the enumerated powers of the National Government in favor of protecting state prerogatives. There, the Court held that the United States could not tax the income of Day, a Massachusetts state judge, because the independence of the States within their legitimate spheres would be imperiled if the instrumentalities through which States executed their powers were "subject to the control of another and distinct government." 11 Wall., at 127. Although the Court in *Day* apparently rested this holding in part on the proposition that the taxing "power acknowledges no limits but the will of the legislative body imposing the tax," *id.*, at 125–126; cf. **2029 *McCulloch v. Maryland*, 17 U.S. 316, 4 Wheat. 316, 4 L.Ed. 579 (1819), the Court had in other cases limited other national powers in order to avoid interference with the States.³²

32 In addition to the cases discussed in the text, see *Lane County v. Oregon*, 7 Wall. 71, 77, 81, 19 L.Ed. 101 (1869), in which the Court held that the federal Legal Tender Acts should not be construed to require the States to accept taxes tendered in United States notes since this might interfere with a legitimate state activity.

*677 In *Prigg v. Pennsylvania*, for example, Mr. Justice Story, in addition to confirming a broad national power to legislate under the Fugitive Slave Clause, see *supra*, at 2026, held that Congress could not “insist that states . . . provide means to carry into effect the duties of the national government.” 16 Pet., at 615–616.³³ And Mr. Justice McLean agreed that, “[a]s a general principle,” it was true “that Congress had no power to impose duties on state officers, as provided in the [Act of Feb. 12, 1793].” Nonetheless he wondered whether Congress might not impose “positive” duties on state officers where a clause of the Constitution, like the Fugitive Slave Clause, seemed to require affirmative government assistance, rather than restraint of government, to secure federal rights. See *id.*, at 664–665.

33 Mr. Chief Justice Taney agreed:

“The state officers mentioned in the law [of 1793] are not bound to execute the duties imposed upon them by Congress, unless they choose to do so, or are required to do so by a law of the state; and the state legislature has the power, if it thinks proper, to prohibit them. The act of 1793, therefore, must depend altogether for its execution upon the officers of the United States named in it.” 16 Pet., at 630 (concurring in part).

Had Mr. Justice McLean been correct in his suggestion that, where the Constitution envisioned affirmative government assistance, the States or their officers or instrumentalities could be required to provide it, there would have been little doubt that Congress could have insisted that municipalities afford by “positive” action the protection³⁴ owed individuals under § 1 of the Fourteenth Amendment whether or not municipalities were obligated by state law to keep the peace. However, any such argument, largely foreclosed by *Prigg*, was made *678 impossible by the Court’s holding in *Kentucky v. Dennison*, 24 How. 66, 16 L.Ed. 717 (1861). There, the Court was asked to require Dennison, the Governor of Ohio, to hand over Lago, a fugitive from justice wanted in Kentucky, as required by § 1 of the Act of Feb. 12, 1793,³⁵ which implemented Art. IV, § 2, cl. 2, of the Constitution. Mr. Chief Justice Taney, writing for a unanimous Court, refused to enforce that section of the Act:

34 See *supra*, at 2025–2026, and n. 21.

35 “Be it enacted . . . That whenever the executive authority of any state in the Union . . . shall demand any person as a fugitive from justice . . . and shall moreover produce the copy of an indictment found . . . charging the person so demanded, with having committed treason, felony or other crime, certified as authentic by the governor or chief magistrate of the state . . . from whence the person so charged fled, it shall be the duty of the executive authority of the state or territory to which such person shall have fled, to cause him or her to be arrested and secured . . . and to cause the fugitive to be delivered to such agent [of the demanding State] when he shall appear . . .” 1 Stat. 302.

“[W]e think it clear, that the Federal Government, under the Constitution, has no power to impose on a State officer, as such, any duty whatever, and compel him to perform it; for if it possessed this power, it might overload the officer with duties which would fill up all his time, and disable him from performing his obligations to the State, and might impose on him duties of a character incompatible with the rank and dignity to which he was elevated by the State.” 24 How., at 107–108.

The rationale of *Dennison* —that the Nation could not impose duties on state officers since that might impede States in their legitimate activities—is obviously identical to that which animated the decision in *Collector v. Day*. See *supra*, at 2028–2029. And, as Blair indicated, municipalities as **2030 instrumentalities through which States executed their policies could be equally disabled from carrying out state policies if they were also obligated to carry out federally imposed duties. Although no one cited *Dennison* by name, the principle for which it *679 stands was well known to Members of Congress,³⁶ many of whom discussed *Day*³⁷ as well as a series of State

Supreme Court cases³⁸ in the mid-1860's which had invalidated a federal tax on the process of state courts on the ground that the tax threatened the independence of a vital state function.³⁹ Thus, there was ample support for Blair's view that the Sherman amendment, by putting municipalities to the Hobson's choice of keeping the peace or paying civil damages, attempted to impose obligations on municipalities by indirection that could not be imposed directly, thereby threatening to "destroy the government of the States." Globe 795.

³⁶ "The Supreme Court of the United States has decided repeatedly that Congress can impose no duty on a State officer." Globe 799 (Rep. Farnsworth). See also *id.*, at 788–789 (Rep. Kerr).

³⁷ See, e. g., *id.*, at 764 (Sen. Davis); *ibid.* (Sen. Casserly); *id.*, at 772 (Sen. Thurman) (reciting logic of *Day*); *id.*, at 777 (Sen. Frelinghuysen); *id.*, at 788–789 (Rep. Kerr) (reciting logic of *Day*); *id.*, at 793 (Rep. Poland); *id.*, at 799 (Rep. Farnsworth) (also reciting logic of *Day*).

³⁸ *Warren v. Paul*, 22 Ind. 276 (1864); *Jones v. Estate of Keep*, 19 Wis. 369 (1865); *Fifield v. Close*, 15 Mich. 505 (1867); *Union Bank v. Hill*, 43 Tenn. 325 (1866); *Smith v. Short*, 40 Ala. 385 (1867).

³⁹ See Globe 764 (Sen. Davis); *ibid.* (Sen. Casserly). See also T. Cooley, Constitutional Limitations *483–*484 (1871 ed.).

If municipal liability under § 1 of the Civil Rights Act of 1871 created a similar Hobson's choice, we might conclude, as *Monroe* did, that Congress could not have intended municipalities to be among the "persons" to which that section applied. But this is not the case.

First, opponents expressly distinguished between imposing an obligation to keep the peace and merely imposing civil liability for damages on a municipality that was obligated by state law to keep the peace, but which had not in violation of the Fourteenth Amendment. Representative Poland, for example, reasoning from Contract Clause precedents, indicated that Congress could constitutionally confer jurisdiction on the federal courts to entertain suits seeking to hold municipalities *680 liable for using their authorized powers in violation of the Constitution —which is as far as § 1 of the Civil Rights Act went:

"I presume . . . that where a State had imposed a duty [to keep the peace] upon [a] municipality . . . an action would be allowed to be maintained against them in the courts of the United States under the ordinary restrictions as to jurisdiction. But the enforcing a liability, existing by their own contract, or by a State law, in the courts, is a very widely different thing from devolving a new duty or liability upon them by the national Government, which has no power either to create or destroy them, and no power or control over them whatever." Globe 794.

Representative Burchard agreed:

"[T]here is no duty imposed by the Constitution of the United States, or usually by State laws, upon a county to protect the people of that county against the commission of the offenses herein enumerated, such as the burning of buildings or any other injury to property or injury to person. Police powers are not conferred upon counties as corporations; they are conferred upon cities that have qualified legislative power. And so far as cities are concerned, where the equal protection required to be afforded by a State is imposed upon a city by State laws, perhaps the United States courts could enforce its performance. But counties . . . do not have any control of the police . . ." *Id.*, at 795.

See also the views of Rep. Willard, discussed at n.30, *supra*.

**2031 Second, the doctrine of dual sovereignty apparently put no limit on the power of federal courts to enforce the Constitution against municipalities that violated it. Under the theory of dual sovereignty set out in *Prigg*, this is quite understandable. So long as federal courts were vindicating the Federal Constitution, they were providing the "positive" government action *681 required to protect federal constitutional rights and no question was raised of enlisting the States in "positive" action. The limits of the principles announced in *Dennison* and *Day* are not so well

defined in logic, but are clear as a matter of history. It must be remembered that the same Court which rendered *Day* also vigorously enforced the Contract Clause against municipalities—an enforcement effort which included various forms of “positive” relief, such as ordering that taxes be levied and collected to discharge federal-court judgments, once a constitutional infraction was found.⁴⁰ Thus, federal judicial enforcement of the Constitution’s express limits on state power, since it was done so frequently, must, notwithstanding anything said in *Dennison* or *Day*, have been permissible, at least so long as the interpretation of the Constitution was left in the hands of the judiciary. Since § 1 of the Civil Rights Act simply conferred jurisdiction on the federal courts to enforce § 1 of the Fourteenth Amendment—a situation precisely analogous to the grant of diversity jurisdiction under which the Contract Clause was enforced against municipalities —there *682 is no reason to suppose that opponents of the Sherman amendment would have found any constitutional barrier to § 1 suits against municipalities.

⁴⁰ See cases cited in n. 28, *supra*. Since this Court granted unquestionably “positive” relief in Contract Clause cases, it appears that the distinction between the Sherman amendment and those cases was not that the former created a positive obligation whereas the latter imposed only a negative restraint. Instead, the distinction must have been that a violation of the Constitution was the predicate for “positive” relief in the Contract Clause cases, whereas the Sherman amendment imposed damages without regard to whether a local government was in any way at fault for the breach of the peace for which it was to be held for damages. See *supra*, at 2024. While no one stated this distinction expressly during the debates, the inference is strong that Congressmen in 1871 would have drawn this distinction since it explains why Representatives Poland, Burchard, and Willard, see *supra*, at 2030–2031, could oppose the amendment while at the same time saying that the Federal Government might impose damages on a local government that had defaulted in a state-imposed duty to keep the peace, and it also explains why everyone agreed that a state or municipal officer could constitutionally be held liable under § 1 for violations of the Constitution. See *infra*, at 2031–2032.

Finally, the very votes of those Members of Congress, who opposed the Sherman amendment but who had voted for § 1, confirm that the liability imposed by § 1 was something very different from that imposed by the amendment. Section 1 without question could be used to obtain a damages judgment against state or municipal *officials* who violated federal constitutional rights while acting under color of law.⁴¹ However, for *Prigg-Dennison-Day* purposes, as Blair and others recognized,⁴² there was no distinction of constitutional magnitude between officers and agents—including corporate agents—of the State: Both were state instrumentalities and the State could be impeded no matter over which sort of instrumentality the Federal Government sought to assert its power. *Dennison* and *Day*, after all, were not suits against municipalities but against *officers*, and Blair was quite conscious that he was extending these cases by applying them to **2032 municipal corporations.⁴³ Nonetheless, Senator Thurman, who gave the most exhaustive critique of § 1—*inter alia*, complaining that it would be applied to state officers, see *Globe* App. 217—and who opposed both § 1 and the Sherman amendment, the latter on *Prigg* grounds, agreed unequivocally that § 1 was constitutional. *683 ⁴⁴ Those who voted for § 1 must similarly have believed in its constitutionality despite *Prigg*, *Dennison*, and *Day*.

⁴¹ See, e. g., *Globe* 334 (Rep. Hoar); *id.*, at 365 (Rep. Arthur); *id.*, at 367–368 (Rep. Sheldon); *id.*, at 385 (Rep. Lewis); *Globe* App. 217 (Sen. Thurman). In addition, officers were included among those who could be sued under the second conference substitute for the Sherman amendment. See *Globe* 805 (exchange between Rep. Willard and Rep. Shellabarger). There were no constitutional objections to the second report.

⁴² See *id.*, at 795 (Rep. Blair); *id.*, at 788 (Rep. Kerr); *id.*, at 795 (Rep. Burchard); *id.*, at 799 (Rep. Farnsworth).

⁴³ “[W]e cannot command a State officer to do any duty whatever, as such; and I ask . . . the difference between that and commanding a municipality” *Id.*, at 795.

⁴⁴ See *Globe* App. 216–217, quoted in n.45, *infra*. In 1880, moreover, when the question of the limits of the *Prigg* principle was squarely presented in *Ex parte Virginia*, 100 U.S. 339, 25 L.Ed. 676, this Court held that *Dennison* and *Day* and the principle of federalism for which they stand did not prohibit federal enforcement of § 5 of the Fourteenth Amendment through suits directed to state officers. See 100 U.S., at 345–348.

C. Debate on § 1 of the Civil Rights Bill

From the foregoing discussion, it is readily apparent that nothing said in debate on the Sherman amendment would have prevented holding a municipality liable under § 1 of the Civil Rights Act for its own violations of the Fourteenth Amendment. The question remains, however, whether the general language describing those to be liable under § 1—"any person"—covers more than natural persons. An examination of the debate on § 1 and application of appropriate rules of construction show unequivocally that § 1 was intended to cover legal as well as natural persons.

Representative Shellabarger was the first to explain the function of § 1:

"[Section 1] not only provides a civil remedy for persons whose former condition may have been that of slaves, but also to all people where, under color of State law, they or any of them may be deprived of rights to which they are entitled under the Constitution by reason and virtue of their national citizenship." Globe App. 68.

By extending a remedy to all people, including whites, § 1 went beyond the mischief to which the remaining sections of the 1871 Act were addressed. Representative Shellabarger also stated without reservation that the constitutionality of § 2 of the Civil Rights Act of 1866 controlled the constitutionality of § 1 of the 1871 Act, and that the former had been *684 approved by "the supreme courts of at least three States of this Union" and by Mr. Justice Swayne, sitting on circuit, who had concluded: "'We have no doubt of the constitutionality of every provision of this act.'" Globe App. 68. Representative Shellabarger then went on to describe how the courts would and should interpret § 1:

"This act is remedial, and in aid of the preservation of human liberty and human rights. All statutes and constitutional provisions authorizing such statutes are liberally and beneficently construed. It would be most strange and, in civilized law, monstrous were this not the rule of interpretation. As has been again and again decided by your own Supreme Court of the United States, and everywhere else where there is wise judicial interpretation, the largest latitude consistent with the words employed is uniformly given in construing such statutes and constitutional provisions as are meant to protect and defend and give remedies for their wrongs to all the people. . . . Chief Justice Jay and also Story say:

"'Where a power is remedial in its nature there is much reason to contend that it ought to be construed liberally, and it is generally adopted in the interpretation of laws.'—1 *Story on Constitution*, sec. 429." Globe App., at 68.

The sentiments expressed in Representative Shellabarger's opening speech were echoed by Senator Edmunds, the manager of H.R. 320 in the Senate:

"The first section is one that I believe nobody objects to, as defining the rights **2033 secured by the Constitution of the United States when they are assailed by any State law or under color of any State law, and it is merely carrying out the principles of the civil rights bill [of 1866], which have since become a part of the Constitution." Globe 568.

*685 "[Section 1 is] so very simple and really reënact[s] the Constitution." *Id.*, at 569.

And he agreed that the bill "secure[d] the rights of white men as much as of colored men." *Id.*, at 696.

In both Houses, statements of the supporters of § 1 corroborated that Congress, in enacting § 1, intended to give a broad remedy for violations of federally protected civil rights.⁴⁵ Moreover, since municipalities through their official *686 acts could, equally with natural persons, create the harms intended to be remedied by § 1, and, further, since Congress intended § 1 to be broadly construed, there is no reason to suppose that municipal corporations would have been excluded from the sweep of § 1. Cf., e. g., *Ex parte Virginia*, 100 U.S. 339, 346–

347, 25 L.Ed. 676 (1880); *Home Tel. & Tel. Co. v. Los Angeles*, 227 U.S. 278, 286–287, 294–296, 33 S.Ct. 312, 57 L.Ed. 510 (1913). One need not rely on this inference alone, however, for the debates show that Members of Congress understood “persons” to include municipal corporations.

⁴⁵ Representative Bingham, the author of § 1 of the Fourteenth Amendment, for example, declared the bill's purpose to be “the enforcement . . . of the Constitution on behalf of every individual citizen of the Republic . . . to the extent of the rights guarantied to him by the Constitution.” *Globe* App. 81. He continued:

“The States never had the right, though they had the power, to inflict wrongs upon free citizens by a denial of the full protection of the laws . . . [And] the States did deny to citizens the equal protection of the laws, they did deny the rights of citizens under the Constitution, and except to the extent of the express limitations upon the States, as I have shown, the citizen had no remedy. . . . They took property without compensation, and he had no remedy. They restricted the freedom of the press, and he had no remedy. They restricted the freedom of speech, and he had no remedy. They restricted the rights of conscience, and he had no remedy. . . . Who dare say, now that the Constitution has been amended, that the nation cannot by law provide against all such abuses and denials of right as these in the States and by States, or combinations of persons?” *Id.*, at 85.

Representative Perry, commenting on Congress' action in passing the civil rights bill also stated:

“Now, by our action on this bill we have asserted as fully as we can assert the mischief intended to be remedied. We have asserted as clearly as we can assert our belief that it is the duty of Congress to redress that mischief. We have also asserted as fully as we can assert the constitutional right of Congress to legislate.” *Globe* 800.

See also *id.*, at 376 (Rep. Lowe); *id.*, at 428–429 (Rep. Beatty); *id.*, at 448 (Rep. Butler); *id.*, at 475–477 (Rep. Dawes); *id.*, at 578–579 (Sen. Trumbull); *id.*, at 609 (Sen. Pool); *Globe* App. 182 (Rep. Mercur).

Other supporters were quite clear that § 1 of the Act extended a remedy not only where a State had passed an unconstitutional statute, but also where officers of the State were deliberately indifferent to the rights of black citizens: “But the chief complaint is . . . [that] by a systematic maladministration of [state law], or a neglect or refusal to enforce their provisions, a portion of the people are denied equal protection under them. Whenever such a state of facts is clearly made out, I believe [§ 5 of the Fourteenth Amendment] empowers Congress to step in and provide for doing justice to those persons who are thus denied equal protection.” *Id.*, at 153 (Rep. Garfield). See also *Monroe v. Pape*, 365 U.S., at 171–187, 81 S.Ct., at 475–484.

Importantly for our inquiry, even the opponents of § 1 agreed that it was constitutional and, further, that it swept very broadly. Thus, Senator Thurman, who gave the most exhaustive critique of § 1, said:

“This section relates wholly to civil suits. . . . Its whole effect is to give to the Federal Judiciary that which now does not belong to it—a jurisdiction that may be constitutionally conferred upon it, I grant, but that has never yet been conferred upon it. It authorizes any person who is deprived of any right, privilege, or immunity secured to him by the Constitution of the United States, to bring an action against the wrong-doer in the Federal courts, and that without any limit whatsoever as to the amount in controversy. . . .

“[T]here is no limitation whatsoever upon the terms that are employed [in the bill], and they are as comprehensive as can be used.” *Globe* App. 216–217 (emphasis added).

Representative Bingham, for example, in discussing § 1 of the bill, explained that he ^{**2034} had drafted § 1 of the Fourteenth Amendment with the case of *Barron v. Mayor of Baltimore*, 7 Pet. 243, 8 L.Ed. 672 (1833), especially in mind. “In [that] case the *687 city had taken private property for public use, without COMPENSATION . . . , AND THERE WAS NO REDRESS FOR THE wrong” *Globe* App. 84 (emphasis added). Bingham's further remarks clearly indicate his view that such takings by cities, as had occurred in *Barron*, would be redressable under § 1 of the bill. See *Globe* App. 85. More generally, and as Bingham's remarks confirm, § 1 of the bill would logically be the vehicle by which Congress provided redress for takings, since that section provided the only civil remedy for Fourteenth Amendment violations and that Amendment unequivocally prohibited uncompensated takings.⁴⁶ Given this purpose, it beggars reason to suppose that Congress would have exempted municipalities from suit, insisting instead that compensation for a taking come from an officer in his individual capacity rather than from the government unit that had the benefit of the property taken.⁴⁷

⁴⁶ See 2 J. Story, *Commentaries on the Constitution of the United States* § 1956 (T. Cooley ed. 1873).

⁴⁷ Indeed the federal courts found no obstacle to awards of damages against municipalities for common-law takings. See *Sumner v. Philadelphia*, 23 F.Cas. 392 (No. 13,611) (CC ED Pa.1873) (awarding damages of \$2,273.36 and costs of \$346.35 against the city of Philadelphia).

In addition, by 1871, it was well understood that corporations should be treated as natural persons for virtually all purposes of constitutional and statutory analysis. This had not always been so. When this Court first considered the question of the status of corporations, Mr. Chief Justice Marshall, writing for the Court, denied that corporations “as such” were persons as that term was used in Art. III and the Judiciary Act of 1789. See *Bank of the United States v. Deveaux*, 5 Cranch 61, 86, 3 L.Ed. 38 (1809).⁴⁸ By 1844, however, the *Deveaux* doctrine was unhesitatingly abandoned:

⁴⁸ Nonetheless, suits could be brought in federal court if the natural persons who were members of the corporation were of diverse citizenship from the other parties to the litigation. See 5 Cranch, at 91.

“[A] corporation created by and doing business in a particular state, *688 is to be deemed to *all intents and purposes as a person*, although an artificial person, . . . capable of being treated as a citizen of that state, as much as a natural person.” *Louisville R. Co. v. Letson*, 2 How. 497, 558, 11 L.Ed. 353 (1844) (emphasis added), discussed in Globe 752.

And only two years before the debates on the Civil Rights Act, in *Cowles v. Mercer County*, 7 Wall. 118, 121, 19 L.Ed. 86 (1869), the *Letson* principle was automatically and without discussion extended to municipal corporations. Under this doctrine, municipal corporations were routinely sued in the federal courts⁴⁹ and this fact was well known to Members of Congress.⁵⁰

⁴⁹ See n. 28, *supra*.

⁵⁰ See, e. g., Globe 777 (Sen. Sherman); *id.*, at 752 (Rep. Shellabarger) (“[C]ounties, cities, and corporations of all sorts, after years of judicial conflict, have become thoroughly established to be an individual or person or entity of the personal existence, of which, as a citizen, individual, or inhabitant, the United States Constitution does take note and endow with faculty to sue and be sued in the courts of the United States”).

That the “usual” meaning of the word “person” would extend to municipal corporations is also evidenced by an Act of Congress which had been passed only months before the Civil Rights Act was passed. This Act provided that “in all acts hereafter passed . . . the word ‘person’ may extend and be applied to bodies politic and corporate . . . unless the context shows that such words were intended to be used in a more limited sense.” Act of Feb. 25, 1871, § 2, 16 Stat. 431.

Municipal corporations in 1871 were included within the phrase “bodies politic and **2035 corporate”⁵¹ and, accordingly, the *689 “plain meaning” of § 1 is that local government bodies were to be included within the ambit of the persons who could be sued under § 1 of the Civil Rights Act. Indeed, a Circuit Judge, writing in 1873 in what is apparently the first reported case under § 1, read the Dictionary Act in precisely this way in a case involving a corporate plaintiff and a municipal defendant.⁵² See *Northwestern Fertilizing Co. v. Hyde Park*, 18 F.Cas. 393, 394 (No. 10,336) (CC ND Ill.1873).⁵³

⁵¹ See *Northwestern Fertilizing Co. v. Hyde Park*, 18 Fed.Cas. pp. 393, 394 (No. 10,336) (CC ND Ill.1873); 2 J. Kent, *Commentaries on American Law* 2 *278-*279 (12th O. W. Holmes ed. 1873). See also *United States v. Maurice*, 26 Fed.Cas.No. 15,747, 2 Brock. 96, 109 (CC Va.1823) (Marshall, C. J.) (“The United States is a government, and, consequently, a body politic and corporate”); Apps. D and E to Brief for Petitioners in *Monroe v. Pape*, O.T. 1960, No. 39 (collecting state statutes which, in 1871, defined municipal corporations as bodies politic and corporate).

⁵² The court also noted that there was no discernible reason why persons injured by municipal corporations should not be able to recover. See 18 F., at 394.

53 In considering the effect of the Act of Feb. 25, 1871, in *Monroe*, however, Mr. Justice Douglas, apparently focusing on the word “may,” stated: “[T]his definition [of person] is merely an allowable, not a mandatory, one.” 365 U.S., at 191, 81 S.Ct., at 486. A review of the legislative history of the Dictionary Act shows this conclusion to be incorrect. There is no express reference in the legislative history to the definition of “person,” but Senator Trumbull, the Act’s sponsor, discussed the phrase “words importing the masculine gender *may* be applied to females,” (emphasis added), which immediately precedes the definition of “person,” and stated:

“The only object [of the Act] is to get rid of a great deal of verbosity in our statutes by providing that when the word ‘he’ is used it *shall* include females as well as males.” Cong. Globe, 41st Cong., 3d Sess., 775 (1871) (emphasis added). Thus, in Trumbull’s view the word “may” meant “shall.” Such a mandatory use of the extended meanings of the words defined by the Act is also required for it to perform its intended function—to be a guide to “rules of construction” of Acts of Congress. See *ibid.* (remarks of Sen. Trumbull). Were the defined words “allowable, [but] not mandatory” constructions, as *Monroe* suggests, there would be no “rules” at all. Instead, Congress must have intended the definitions of the Act to apply across-the-board except where the Act by its terms called for a deviation from this practice—“[where] the context shows that [defined] words were to be used in a more limited sense.” Certainly this is how the *Northwestern Fertilizing* court viewed the matter. Since there is nothing in the “context” of § 1 of the Civil Rights Act calling for a restricted interpretation of the word “person,” the language of that section should *prima facie* be construed to include “bodies politic” among the entities that could be sued.

*690 II

[1] [2] [3] [4] Our analysis of the legislative history of the Civil Rights Act of 1871 compels the conclusion that Congress *did* intend municipalities and other local government units to be included among those persons to whom § 1983 applies.⁵⁴ Local governing bodies,⁵⁵ therefore, can be sued directly under § 1983 for monetary, declaratory, or injunctive relief where, as here, the action that is alleged to be unconstitutional implements **2036 or executes a policy statement, ordinance, regulation, or decision officially adopted and promulgated by that body’s officers. Moreover, although the touchstone of the § 1983 action against a government body is an allegation that official policy is responsible for a deprivation of rights protected by the Constitution, local governments, like every other § 1983 “person,” by the very terms of the statute, may be sued for constitutional *691 deprivations visited pursuant to governmental “custom” even though such a custom has not received formal approval through the body’s official decisionmaking channels. As Mr. Justice Harlan, writing for the Court, said in *Adickes v. S. H. Kress & Co.*, 398 U.S. 144, 167–168, 90 S.Ct. 1598, 1613, 26 L.Ed.2d 142 (1970): “Congress included customs and usages [in § 1983] because of the persistent and widespread discriminatory practices of state officials Although not authorized by written law, such practices of state officials could well be so permanent and well settled as to constitute a ‘custom or usage’ with the force of law.”⁵⁶

54 There is certainly no constitutional impediment to municipal liability. “The Tenth Amendment’s reservation of nondelegated powers to the States is not implicated by a federal-court judgment enforcing the express prohibitions of unlawful state conduct enacted by the Fourteenth Amendment.” *Milliken v. Bradley*, 433 U.S. 267, 291, 97 S.Ct. 2749, 2762, 53 L.Ed.2d 745 (1977); see *Ex parte Virginia*, 100 U.S., at 347–348, 25 L.Ed. 676. For this reason, *National League of Cities v. Usery*, 426 U.S. 833, 96 S.Ct. 2465, 49 L.Ed.2d 245 (1976), is irrelevant to our consideration of this case. Nor is there any basis for concluding that the Eleventh Amendment is a bar to municipal liability. See, e. g., *Fitzpatrick v. Bitzer*, 427 U.S. 445, 456, 96 S.Ct. 2666, 49 L.Ed.2d 614 (1976); *Lincoln County v. Luning*, 133 U.S. 529, 530, 10 S.Ct. 363, 33 L.Ed. 766 (1890). Our holding today is, of course, limited to local government units which are not considered part of the State for Eleventh Amendment purposes.

55 Since official-capacity suits generally represent only another way of pleading an action against an entity of which an officer is an agent—at least where Eleventh Amendment considerations do not control analysis—our holding today that local governments can be sued under § 1983 necessarily decides that local government officials sued in their official capacities are “persons” under § 1983 in those cases in which, as here, a local government would be suable in its own name.

56 See also Mr. Justice Frankfurter's statement for the Court in *Nashville, C. & St. L. R. Co. v. Browning*, 310 U.S. 362, 369, 60 S.Ct. 968, 972, 84 L.Ed. 1254 (1940):

"It would be a narrow conception of jurisprudence to confine the notion of 'laws' to what is found written on the statute books, and to disregard the gloss which life has written upon it. Settled state practice . . . can establish what is state law. The Equal Protection Clause did not write an empty formalism into the Constitution. Deeply embedded traditional ways of carrying out state policy, such as those of which petitioner complains, are often tougher and truer law than the dead words of the written text."

[5] On the other hand, the language of § 1983, read against the background of the same legislative history, compels the conclusion that Congress did not intend municipalities to be held liable unless action pursuant to official municipal policy of some nature caused a constitutional tort. In particular, we conclude that a municipality cannot be held liable *solely* because it employs a tortfeasor—or, in other words, a municipality cannot be held liable under § 1983 on a *respondeat superior* theory.

We begin with the language of § 1983 as originally passed:

"[A]ny person who, under color of any law, statute, ordinance, regulation, custom, or usage of any State, *shall subject, or cause to be subjected*, any person . . . to the deprivation of any rights, privileges, or immunities secured by the Constitution of the United States, shall, any such *692 law, statute, ordinance, regulation, custom, or usage of the State to the contrary notwithstanding, be liable to the party injured in any action at law, suit in equity, or other proper proceeding for redress . . ." 17 Stat. 13. (emphasis added).

The italicized language plainly imposes liability on a government that, under color of some official policy, "causes" an employee to violate another's constitutional rights. At the same time, that language cannot be easily read to impose liability vicariously on governing bodies solely on the basis of the existence of an employer-employee relationship with a tortfeasor. Indeed, the fact that Congress did specifically provide that A's tort became B's liability if B "caused" A to subject another to a tort suggests that Congress did not intend § 1983 liability to attach where such causation was absent.⁵⁷ **2037 See *Rizzo v. Goode*, 423 U.S. 362, 370–371, 96 S.Ct. 598, 602, 46 L.Ed.2d 561 (1976).

57 Support for such a conclusion can be found in the legislative history. As we have indicated, there is virtually no discussion of § 1 of the Civil Rights Act. Again, however, Congress' treatment of the Sherman amendment gives a clue to whether it would have desired to impose *respondeat superior* liability.

The primary constitutional justification for the Sherman amendment was that it was a necessary and proper remedy for the failure of localities to protect citizens as the Privileges or Immunities Clause of the Fourteenth Amendment required. See *supra*, at 2025–2027. And according to Sherman, Shellabarger, and Edmunds, the amendment came into play only when a locality was at fault or had knowingly neglected its duty to provide protection. See *Globe* 761 (Sen. Sherman); *id.*, at 756 (Sen. Edmunds); *id.*, at 751–752 (Rep. Shellabarger). But other proponents of the amendment apparently viewed it as a form of vicarious liability for the unlawful acts of the citizens of the locality. See *id.*, at 792 (Rep. Butler). And whether intended or not, the amendment as drafted did impose a species of vicarious liability on municipalities since it could be construed to impose liability even if a municipality did not know of an impending or ensuing riot or did not have the wherewithal to do anything about it. Indeed, the amendment held a municipality liable even if it had done everything in its power to curb the riot. See *supra*, at 2024; *Globe* 761 (Sen. Stevenson); *id.*, at 771 (Sen. Thurman); *id.*, at 788 (Rep. Kerr); *id.*, at 791 (Rep. Willard). While the first conference substitute was rejected principally on constitutional grounds see *id.*, at 804 (Rep. Poland), it is plain from the text of the second conference substitute—which limited liability to those who, having the power to intervene against Ku Klux Klan violence, "neglect[ed] or refuse[d] so to do," see Appendix to this opinion, *infra*, at 2042, and which was enacted as § 6 of the 1871 Act and is now codified as 42 U.S.C. § 1986—that Congress also rejected those elements of vicarious liability contained in the first conference substitute even while accepting the basic principle that the inhabitants of a community were bound to provide protection against the Ku Klux Klan. Strictly speaking, of course, the fact that Congress refused to impose vicarious liability for the wrongs of a few private citizens does not conclusively establish that it would similarly have refused to impose vicarious liability for the torts of a municipality's

employees. Nonetheless, when Congress' rejection of the only form of vicarious liability presented to it is combined with the absence of any language in § 1983 which can easily be construed to create *respondeat superior* liability, the inference that Congress did not intend to impose such liability is quite strong.

***693** Equally important, creation of a federal law of *respondeat superior* would have raised all the constitutional problems associated with the obligation to keep the peace, an obligation Congress chose not to impose because it thought imposition of such an obligation unconstitutional. To this day, there is disagreement about the basis for imposing liability on an employer for the torts of an employee when the sole nexus between the employer and the tort is the fact of the employer-employee relationship. See W. Prosser, Law of Torts § 69, p. 459 (4th ed. 1971). Nonetheless, two justifications tend to stand out. First is the common-sense notion that no matter how blameless an employer appears to be in an individual case, accidents might nonetheless be reduced if employers had to bear the cost of accidents. See, e. g., *ibid.*; 2 F. Harper & F. James, Law of Torts, § 26.3, pp. 1368–1369 (1956). Second is the argument that the cost of accidents should be ***694** spread to the community as a whole on an insurance theory. See, e. g., *id.*, § 26.5; Prosser, *supra*, at 459.⁵⁸

⁵⁸ A third justification, often cited but which on examination is apparently insufficient to justify the doctrine of *respondeat superior*; see, e. g., 2 F. Harper & F. James, § 26.3, is that liability follows the right to control the actions of a tortfeasor. By our decision in *Rizzo v. Goode*, 423 U.S. 362, 96 S.Ct. 598, 46 L.Ed.2d 561 (1976), we would appear to have decided that the mere right to control without any control or direction having been exercised and without any failure to supervise is not enough to support § 1983 liability. See 423 U.S., at 370–371, 96 S.Ct., at 602.

The first justification is of the same sort that was offered for statutes like the Sherman amendment: “The obligation to make compensation for injury resulting from riot is, by arbitrary enactment of statutes, affirmatory law, and the reason of passing the statute is to secure a more perfect police regulation.” *Globe 777* (Sen. Frelinghuysen). This justification was obviously insufficient to sustain the amendment against perceived constitutional difficulties and there is no reason to suppose that a more general liability imposed for a similar reason would have been thought less constitutionally objectionable. The second justification was similarly put forward as a justification for the Sherman amendment: “we do not look upon [the Sherman amendment] as a punishment . . . It is a mutual insurance.” *Id.*, at 792 (Rep. Butler). Again, this justification was insufficient to sustain the amendment.

[6] We conclude, therefore, that a local government may not be sued under § 1983 for an injury inflicted solely by its employees or agents. Instead, it is when execution of a government's policy or custom, whether made by its lawmakers or by those whose edicts or acts may fairly be said to represent ****2038** official policy, inflicts the injury that the government as an entity is responsible under § 1983. Since this case unquestionably involves official policy as the moving force of the constitutional violation found by the District Court, see ***695** *supra*, at 2020–2021, and n. 2, we must reverse the judgment below. In so doing, we have no occasion to address, and do not address, what the full contours of municipal liability under § 1983 may be. We have attempted only to sketch so much of the § 1983 cause of action against a local government as is apparent from the history of the 1871 Act and our prior cases, and we expressly leave further development of this action to another day.

III

Although we have stated that *stare decisis* has more force in statutory analysis than in constitutional adjudication because, in the former situation, Congress can correct our mistakes through legislation, see, e. g., *Edelman v. Jordan*, 415 U.S. 651, 671, and n. 14, 94 S.Ct. 1347, 1365, 39 L.Ed.2d 662 (1974), we have never applied *stare decisis* mechanically to prohibit overruling our earlier decisions determining the meaning of statutes. See, e. g., *Continental T. V., Inc. v. GTE Sylvania, Inc.*, 433 U.S. 36, 47–49, 97 S.Ct. 2549, 2559, 53 L.Ed.2d 568 (1977); *Burnet v. Coronado Oil & Gas Co.*, 285 U.S. 393, 406 n. 1, 52 S.Ct. 443, 454, 76 L.Ed. 815 (1932) (Brandeis, J., dissenting) (collecting cases). Nor is this a case where we should “place on the shoulders of Congress the burden of the Court's own error.” *Girouard v. United States*, 328 U.S. 61, 70, 66 S.Ct. 826, 830, 90 L.Ed. 1084 (1946).

First, *Monroe v. Pape*, insofar as it completely immunizes municipalities from suit under § 1983, was a departure from prior practice. See, e. g., *Northwestern Fertilizing Co. v. Hyde Park*, 18 Fed.Cas. 393 (No. 10,336) (CC ND Ill.1873); *City of Manchester v. Leiby*, 117 F.2d 661 (CA1 1941); *Hannan v. City of Haverhill*, 120 F.2d 87 (CA1 1941); *Douglas v. City of Jeannette*, 319 U.S. 157, 63 S.Ct. 877, 87 L.Ed. 1324 (1943); *Holmes v. City of Atlanta*, 350 U.S. 879, 76 S.Ct. 141, 100 L.Ed. 776 (1955), in each of which municipalities were defendants in § 1983 suits.⁵⁹ Moreover, the constitutional defect *696 that led to the rejection of the Sherman amendment would not have distinguished between municipalities and school boards, each of which is an instrumentality of state administration. See *supra*, at 2027–2032. For this reason, our cases—decided both before and after *Monroe*, see n. 5, *supra*—holding school boards liable in § 1983 actions are inconsistent with *Monroe*, especially as *Monroe*'s immunizing principle was extended to suits for injunctive relief in *City of Kenosha v. Bruno*, 412 U.S. 507, 93 S.Ct. 2222, 37 L.Ed.2d 109 (1973).⁶⁰ And although in many of these cases jurisdiction was not questioned, we ought not “disregard the implications of an exercise of judicial authority assumed to be proper for [100] years.” *Brown Shoe Co. v. United States*, 370 U.S. 294, 307, 82 S.Ct. 1502, 1514, 8 L.Ed.2d 510 (1962); see *Bank of the United States v. Deveaux*, 5 Cranch, at 88 (Marshall, C. J.) (“Those decisions are not cited as authority . . . but they have much weight as they show that this point neither occurred to the bar or the bench”). Thus, while we have reaffirmed *Monroe* without further examination on three occasions,⁶¹ it can scarcely be said that *Monroe* **2039 is so consistent with the warp and woof of civil rights law as to be beyond question.

⁵⁹ Each case cited by *Monroe*, see 365 U.S., at 191 n. 50, 81 S.Ct. 495 as consistent with the position that local governments were not § 1983 “persons” reached its conclusion by assuming that state-law immunities overrode the § 1983 cause of action. This has never been the law.

⁶⁰ Although many suits against school boards also include private individuals as parties, the “principal defendant is usually the local board of education or school board.” *Milliken v. Bradley*, 433 U.S., at 292–293, 97 S.Ct. at 2763 (Powell, J., concurring in judgment).

⁶¹ *Moor v. County of Alameda*, 411 U.S. 693, 93 S.Ct. 1785, 36 L.Ed.2d 596 (1973); *City of Kenosha v. Bruno*, 412 U.S. 507, 93 S.Ct. 2222, 37 L.Ed.2d 109 (1973); *Aldinger v. Howard*, 427 U.S. 1, 96 S.Ct. 2413, 49 L.Ed.2d 276 (1976).

Second, the principle of blanket immunity established in *Monroe* cannot be cabined short of school boards. Yet such an extension would itself be inconsistent with recent expressions of congressional intent. In the wake of our decisions, Congress not only has shown no hostility to federal-court decisions against school boards, but it has indeed rejected efforts to strip the federal courts of jurisdiction over school boards.⁶² Moreover, recognizing that school boards are often *697 defendants in school desegregation suits, which have almost without exception been § 1983 suits, Congress has twice passed legislation authorizing grants to school boards to assist them in complying with federal-court decrees.⁶³ Finally, in *698 regard to **2040 the Civil Rights Attorney's Fees Awards Act of 1976, 90 Stat. 2641, 42 U.S.C. § 1988 (1976 ed.), which allows prevailing parties (in the discretion of the court) in § 1983 suits *699 to obtain attorney's fees from the losing parties, the Senate stated:

⁶² During the heyday of the furor over busing, both the House and the Senate refused to adopt bills that would have removed from the federal courts jurisdiction

“to make any decision, enter any judgment, or issue any order requiring any *school board* to make any change in the racial composition of the student body at any public school or in any class at any public school to which students are assigned in conformity with a freedom of choice system, or requiring any *school board* to transport any students from one public school to another public school or from one place to another place or from one school district to another school district in order to effect a change in the racial composition of the student body at any school or place or in any school district, or denying to any student the right or privilege of attending any public school or class at any public school chosen by the parent of such student in conformity with a freedom of choice system, or requiring any *school board* to close any school and transfer the students from the closed school to any other school for the purpose of altering the racial composition of the student body at any public school, or precluding any *school board* from carrying into effect any provision of any contract between it and any member of the faculty of any public school it operates

specifying the public school where the member of the faculty is to perform his or her duties under the contract.” S. 1737, 93d Cong., 1st Sess., § 1207 (1973) (emphasis added).

Other bills designed either completely to remove the federal courts from the school desegregation controversy, S. 287, 93d Cong., 1st Sess. (1973), or to limit the ability of federal courts to subject school boards to remedial orders in desegregation cases, S. 619, 93d Cong., 1st Sess. (1973); S. 179, 93d Cong., 1st Sess., § 2(a) (1973); H.R. 13534, 92d Cong., 2d Sess., § 1 (1972), have similarly failed.

- 63 In 1972, spurred by a finding “that the process of eliminating or preventing minority group isolation and improving the quality of education for all children often involves the expenditure of additional funds to which local educational agencies do not have access,” 86 Stat. 354, [20 U.S.C. § 1601\(a\) \(1976 ed.\)](#), Congress passed the Emergency School Aid Act. Section 706(a)(1)(A)(i) of that Act, [20 U.S.C. § 1605\(a\)\(1\)\(A\)\(i\) \(1976 ed.\)](#), authorizes the Assistant Secretary “to make a grant to, or a contract with, *a local educational agency [w]hich is implementing a plan . . . which has been undertaken pursuant to a final order issued by a court of the United States . . .* which requires the desegregation of minority group segregated children or faculty in the elementary and secondary schools of such agency, or otherwise requires the elimination or reduction of minority group isolation in such schools.” (Emphasis added.) A “local educational agency” is defined by [20 U.S.C. § 1619\(8\) \(1976 ed.\)](#) as “a public board of education or other public authority legally constituted within a State for either administrative control or direction of, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or a federally recognized Indian reservation, or such combination of school districts, or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools, or a combination of local educational agencies” Congress thus clearly recognized that school boards were often parties to federal school desegregation suits. In § 718 of the Act, 86 Stat. 369, [20 U.S.C. § 1617 \(1976 ed.\)](#), Congress gave its explicit approval to the institution of federal desegregation suits against school boards—presumably under § 1983. Section 718 provides: “Upon the entry of a final order *by a court of the United States against a local educational agency . . .* for discrimination on the basis of race, color, or national origin in violation of . . . the fourteenth amendment to the Constitution of the United States . . . the court . . . may allow the prevailing party, other than the United States, a reasonable attorney’s fee as part of the costs.” (Emphasis added.) Two years later in the Equal Educational Opportunities Act of 1974, Congress found that “the implementation of desegregation plans that require extensive student transportation has, in many cases, required *local educational agencies* to expend large amounts of funds, thereby depleting their financial resources” [20 U.S.C. § 1702\(a\)\(3\) \(1976 ed.\)](#). (Emphasis added.) Congress did not respond by declaring that school boards were not subject to suit under § 1983 or any other federal statute, “but simply [legislated] revised evidentiary standards and remedial priorities to be employed by the courts in deciding such cases.” Brief for National Education Assn., et al. as *Amici Curiae* 15–16. Indeed, Congress expressly reiterated that a cause of action, cognizable in the federal courts, exists for discrimination in the public school context. [20 U.S.C. §§ 1703, 1706, 1708, 1710, 1718 \(1976 ed.\)](#). The Act assumes that school boards will usually be the defendants in such suits. For example, § 211 of the Act, 88 Stat. 516, as set forth in [20 U.S.C. § 1710 \(1976 ed.\)](#), provides:

“The Attorney General shall not institute a civil action under [section 1706](#) of this title [which allows for suit by both private parties and the Attorney General to redress discrimination in public education] before he—

“(a) gives to the appropriate educational agency notice of the condition or conditions which, in his judgment, constitute a violation of part 2 [the prohibitions against discrimination in public education].” Section 219 of the Act, [20 U.S.C. § 1718 \(1976 ed.\)](#), provides for the termination of court-ordered busing “if the court finds the defendant educational agency has satisfied the requirements of the fifth or fourteenth amendments to the Constitution, whichever is applicable, and will continue to be in compliance with the requirements thereof.”

“[D]efendants in these cases are often State or local *bodies* or State or local officials. In such cases it is intended that the attorneys’ fees, like other items of costs, will be collected either directly from the official, *in his official capacity*, from funds of his agency or under his control, or *from the State or local government (whether or not the agency or government is a named party)*.” [S.Rep.No.94-1011, p. 5 \(1976\)](#); U.S.Code Cong. & Admin.News 1976, pp. 5908, 5913 (emphasis added; footnotes omitted).

Far from showing that Congress has relied on *Monroe*, therefore, events since 1961 show that Congress has refused to extend the benefits of *Monroe* to school boards and has attempted to allow awards of attorney’s fees against

local governments even though *Monroe*, *City of Kenosha v. Bruno*, and *Aldinger v. Howard*, 427 U.S. 1, 96 S.Ct. 2413, 49 L.Ed.2d 276 (1976), have made the joinder of such governments impossible.⁶⁴

64 Whether Congress' attempt is in fact effective is the subject of *Hutto v. Finney*, O.T.1977, No. 76-1660, cert. granted, 434 U.S. 901, 98 S.Ct. 295, 54 L.Ed.2d 187, and therefore we express no view on it here.

Third, municipalities can assert no reliance claim which can *700 support an absolute immunity. As Mr. Justice Frankfurter said in *Monroe*, “[t]his is not an area of commercial law in which, presumably, individuals may have arranged their affairs in reliance on the expected stability of decision.” 365 U.S., at 221–222, 81 S.Ct., at 503 (dissenting in part). Indeed, municipalities simply cannot “arrange their affairs” on an assumption that they can violate constitutional rights indefinitely since injunctive suits against local officials under § 1983 would prohibit any such arrangement. And it scarcely need be mentioned that nothing in *Monroe* encourages municipalities to violate constitutional rights or even suggests that such violations are anything other than completely wrong.

Finally, even under the most stringent test for the propriety of overruling a statutory decision proposed by Mr. Justice Harlan in *Monroe*⁶⁵—“that it appear beyond doubt from the legislative history of the 1871 statute that [Monroe] misapprehended the meaning of the [section],” 365 U.S., at 192, 81 S.Ct., at 487 (concurring opinion)—the overruling of *Monroe* insofar as it holds that local governments are not “persons” **2041 who may be defendants in § 1983 suits is clearly proper. It is simply beyond doubt that, under the 1871 Congress' view of the law, were § 1983 liability unconstitutional as to local governments, it would have been equally unconstitutional as to state officers. Yet everyone—proponents and opponents alike—knew § 1983 would be applied to state officers and nonetheless stated that § 1983 was constitutional. See *supra*, at 2030–2032. And, moreover, there can be no doubt that § 1 of the Civil Rights Act was intended to provide a remedy, to be broadly construed, against all forms of official violation of federally protected *701 rights. Therefore, absent a clear statement in the legislative history supporting the conclusion that § 1 was not to apply to the official acts of a municipal corporation—which simply is not present—there is no justification for excluding municipalities from the “persons” covered by § 1.

65 We note, however, that Mr. Justice Harlan's test has not been expressly adopted by this Court. Moreover, that test is based on two factors: *stare decisis* and “indications of congressional acceptance of this Court's earlier interpretation [of the statute in question].” 365 U.S., at 192, 81 S.Ct., at 487. As we have explained, the second consideration is not present in this case.

For reasons stated above, therefore, we hold that *stare decisis* does not bar our overruling of *Monroe* insofar as it is inconsistent with Parts I and II of this opinion.⁶⁶

66 No useful purpose would be served by an attempt at this late date to determine whether *Monroe* was correct on its facts. Similarly, since this case clearly involves official policy and does not involve *respondeat superior*, we do not assay a view on how our cases which have relied on that aspect of *Monroe* that is overruled today—*Moor v. County of Alameda*, 411 U.S. 693, 93 S.Ct. 1785, 36 L.Ed.2d 596 (1973); *City of Kenosha v. Bruno*, 412 U.S. 507, 93 S.Ct. 2222, 37 L.Ed.2d 109 (1973); and *Aldinger v. Howard*, 427 U.S. 1, 96 S.Ct. 2413, 49 L.Ed.2d 276 (1976)—should have been decided on a correct view of § 1983. Nothing we say today affects the conclusion reached in *Moor*, see 411 U.S., at 703–704, 93 S.Ct. 1785, that 42 U.S.C. § 1988 cannot be used to create a federal cause of action where § 1983 does not otherwise provide one, or the conclusion reached in *City of Kenosha*, see 412 U.S., at 513, 93 S.Ct., at 2226 that “nothing . . . suggest[s] that the generic word ‘person’ in § 1983 was intended to have a bifurcated application to municipal corporations depending on the nature of the relief sought against them.”

IV

[7] Since the question whether local government bodies should be afforded some form of official immunity was not presented as a question to be decided on this petition and was not briefed by the parties or addressed by the

courts below, we express no views on the scope of any municipal immunity beyond holding that municipal bodies sued under § 1983 cannot be entitled to an absolute immunity, lest our decision that such bodies are subject to suit under § 1983 “be drained of meaning.” *Scheuer v. Rhodes*, 416 U.S. 232, 248, 94 S.Ct. 1683, 40 L.Ed.2d 90 (1974). Cf. *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388, 397–398, 91 S.Ct. 1999, 29 L.Ed.2d 619 (1971).

*702 V

For the reasons stated above, the judgment of the Court of Appeals is

Reversed.

APPENDIX TO OPINION OF THE COURT

As proposed, the Sherman amendment was as follows:

“That if any house, tenement, cabin, shop, building, barn, or granary shall be unlawfully or feloniously demolished, pulled down, burned, or destroyed, wholly or in part, by any persons riotously and tumultuously assembled together; or if any person shall unlawfully and with force and violence be whipped, scourged, **wounded**, or killed by any persons riotously and tumultuously assembled together; and if such offense was committed to deprive any person of any right conferred upon him by the Constitution and laws of the United States, or to deter him or punish him for exercising such right, or by reason of his race, color, or previous condition of servitude, in every such case the inhabitants of the county, city, or parish in which any of the said offenses shall be committed shall be liable to pay full compensation to the person or persons damaged by such offense if living, or to his widow or legal representative **2042 if dead; and such compensation may be recovered by such person or his representative by a suit in any court of the United States of competent jurisdiction in the district in which the offense was committed, to be in the name of the person injured, or his legal representative, and against said county, city, or parish. And execution may be issued on a judgment rendered in such suit and may be levied upon any property, real or personal, of any person in said county, city, or parish, and the said county, city, or parish may recover the full amount of such judgment, costs and interest, *703 from any person or persons engaged as principal or accessory in such riot in an action in any court of competent jurisdiction.” Globe 663.

The complete text of the first conference substitute for the Sherman amendment is:

“That if any house, tenement, cabin, shop, building, barn, or granary shall be unlawfully or feloniously demolished, pulled down, burned, or destroyed, wholly or in part, by any persons riotously and tumultuously assembled together; or if any person shall unlawfully and with force and violence be whipped, scourged, **wounded**, or killed by any persons riotously and tumultuously assembled together, with intent to deprive any person of any right conferred upon him by the Constitution and laws of the United States, or to deter him or punish him for exercising such right, or by reason of his race, color, or previous condition of servitude, in every such case the county, city, or parish in which any of the said offenses shall be committed shall be liable to pay full compensation to the person or persons damaged by such offense, if living, or to his widow or legal representative if dead; and such compensation may be recovered in an action on the case by such person or his representative in any court of the United States of competent jurisdiction in the district in which the offense was committed, such action to be in the name of the person injured, or his legal representative, and against said county, city, or parish, and in which action any of the parties committing such acts may be joined as defendants. And any payment of any judgment, or part thereof unsatisfied, recovered by the plaintiff in such action, may, if not satisfied by the individual defendant therein within two months next after the recovery of such judgment upon execution duly issued against such individual defendant in such judgment, and returned unsatisfied, in whole or in part, be enforced *704 against

such county, city, or parish, by execution, attachment, mandamus, garnishment, or any other proceeding in aid of execution or applicable to the enforcement of judgments against municipal corporations; and such judgment shall be a lien as well upon all moneys in the treasury of such county, city, or parish, as upon the other property thereof. And the court in any such action may on motion cause additional parties to be made therein prior to issue joined, to the end that justice may be done. And the said county, city, or parish may recover the full amount of such judgment, by it paid, with costs and interest, from any person or persons engaged as principal or accessory in such riot, in an action in any court of competent jurisdiction. And such county, city, or parish, so paying, shall also be subrogated to all the plaintiff's rights under such judgment." *Id.*, at 749, 755.

The relevant text of the second conference substitute for the Sherman amendment is as follows:

"[A]ny person or persons having knowledge that any of the wrongs conspired to be done and mentioned in the second section of this act are about to be committed, and having power to prevent or aid in preventing the same, *shall neglect or refuse so to do*, and such wrongful act shall be committed, such person or persons shall be liable to the person injured, or his legal representatives." *Id.*, at 804 (emphasis added).

****2043** Mr. Justice POWELL, concurring.

I join the opinion of the Court, and express these additional views.

Few cases in the history of the Court have been cited more frequently than *Monroe v. Pape*, 365 U.S. 167, 81 S.Ct. 473, 5 L.Ed.2d 492 (1961), decided less than two decades ago. Focusing new light on 42 U.S.C. § 1983, that decision widened access to the federal courts and permitted expansive interpretations of the reach of *705 the 1871 measure. But *Monroe* exempted local governments from liability at the same time it opened wide the courthouse door to suits against officers and employees of those entities—even when they act pursuant to express authorization. The oddness of this result, and the weakness of the historical evidence relied on by the *Monroe* Court in support of it, are well demonstrated by the Court's opinion today. Yet the gravity of overruling a part of so important a decision prompts me to write.

I

In addressing a complaint alleging unconstitutional police conduct that probably was unauthorized and actionable under state law,¹ the *Monroe* Court treated the 42d Congress' rejection of the Sherman amendment as conclusive evidence of an intention to immunize local governments from all liability under the statute for constitutional injury. That reading, in light of today's thorough canvass of the legislative history, clearly "misapprehended the meaning of the controlling provision," *Monroe, supra*, at 192, 81 S.Ct. at 487 (Harlan, J., concurring). In this case, involving formal, written policies of the Department of Social Services and the Board of Education of the city of New York that are alleged to conflict *706 with the command of the Due Process Clause, cf. *Cleveland Board of Education v. LaFleur*, 414 U.S. 632, 94 S.Ct. 791, 39 L.Ed.2d 52 (1974), the Court decides "not to reject [wisdom] merely because it comes late," *Henslee v. Union Planters Bank*, 335 U.S. 595, 600, 69 S.Ct. 290, 293, 93 L.Ed. 259 (1949) (Frankfurter, J., dissenting).

¹ The gravamen of the complaint in *Monroe* was that Chicago police officers acting "under color of" state law had conducted a warrantless, early morning raid and ransacking of a private home. Although at least one of the allegations in the complaint could have been construed to charge a custom or usage of the Police Department of the city of Chicago that did not violate state law, see 365 U.S., at 258–259, 81 S.Ct. 473 (Frankfurter, J., dissenting in part), and there is a hint of such a theory in Brief for Petitioners, O.T.1960, No. 39, pp. 41–42, that feature of the case was not highlighted in this Court. The dispute that divided the Court was over whether a complaint alleging police misconduct in violation of state law, for which state judicial remedies were available, stated a § 1983 claim in light of the statutory requirement that the conduct working injury be "under color of" state law. Compare 365 U.S., at 172–183, 81 S.Ct. 473 (opinion of

the Court), and *id.*, at 193–202, 81 S.Ct. 473 (Harlan, J., concurring), with *id.*, at 202–259, 81 S.Ct. 473 (Frankfurter, J., dissenting in part).

As the Court demonstrates, the Sherman amendment presented an extreme example of “riot act” legislation that sought to impose vicarious liability on government subdivisions for the consequences of private lawlessness. As such, it implicated concerns that are of marginal pertinence to the operative principle of § 1 of the 1871 legislation —now § 1983—that “any person” acting “under color of” state law may be held liable for affirmative conduct that “subjects, or causes to be subjected, any person . . . to the deprivation of any” federal constitutional or statutory right. Of the many reasons for the defeat of the Sherman proposal, none supports *Monroe*’s observation that the 42d Congress was fundamentally “antagonistic,” 365 U.S., at 191, 81 S.Ct. 473, to the proposition that government entities and natural persons alike should be held accountable for the consequences of conduct directly working a constitutional violation. Opponents in the Senate appear to have been troubled primarily by the proposal’s unprecedented lien provision, which would have exposed even property held for public purposes to the demands of § 1983 judgment lienors. *Ante*, at 2027, 2028, n. 30. The opposition in the House of Representatives focused largely **2044 on the Sherman amendment’s attempt to impose a peacekeeping obligation on municipalities when the Constitution itself imposed no such affirmative duty and when many municipalities were not even empowered under state law to maintain police forces. *Ante*, at 2027–2028, 2030–2032.²

² If in the view of House opponents, such as Representatives Poland, Burchard, and Willard, see *ante*, at 2030–2032, a municipality obligated by state law to keep the peace could be held liable for a failure to provide equal protection against private violence, it seems improbable that they would have opposed imposition of liability on a municipality for the affirmative implementation of policies promulgated within its proper sphere of operation under state law. Such liability is promised not on a failure to take affirmative action in an area outside the contemplation of the state-law charter—the sort of liability that would have been imposed by the Sherman amendment—but on the consequences of activities actually undertaken within the scope of the powers conferred by state law.

*707 The Court correctly rejects a view of the legislative history that would produce the anomalous result of immunizing local government units from monetary liability for action directly causing a constitutional deprivation, even though such actions may be fully consistent with, and thus not remediable under, state law. No conduct of government comes more clearly within the “under color of” state law language of § 1983. It is most unlikely that Congress intended public officials acting under the command or the specific authorization of the government employer to be *exclusively* liable for resulting constitutional injury.³

³ The view taken today is consistent with the understanding of the 42d Congress that unless the context revealed a more limited definition, “the word ‘person’ may extend and be applied to bodies politic and corporate” Act of Feb. 25, 1871, § 2, 16 Stat. 431. It also accords with the interpretation given the same word when it was used by Senator Sherman in the antitrust legislation of 1890 bearing his name. See *Lafayette v. Louisiana Power & Light Co.*, 43 U.S. 389, 98 S.Ct. 1123, 55 L.Ed.2d 364 (1978) (plurality opinion); *Chattanooga Foundry v. Atlanta*, 203 U.S. 390, 396, 27 S.Ct. 65, 51 L.Ed. 241 (1906); cf. *Pfizer, Inc. v. Government of India*, 434 U.S. 308, 98 S.Ct. 585, 54 L.Ed.2d 563 (1978).

As elaborated in Part II of today’s opinion, the rejection of the Sherman amendment can best be understood not as evidence of Congress’ acceptance of a rule of absolute municipal immunity but as a limitation of the statutory ambit to actual wrongdoers, *i. e.*, a rejection of *respondeat superior* or any other principle of vicarious liability. Cf. Levin, The Section 1983 Municipal Immunity Doctrine, 65 Geo.L.J. 1483, 1531–1535 (1977). Thus, it has been clear that a public official may be held liable in damages when his actions are found to violate a constitutional right and there is no qualified immunity, see *Wood v. Strickland*, 420 U.S. 308, 95 S.Ct. 922, 43 L.Ed.2d 214 (1975); *Procurier v. Navarette*, 434 U.S. 555, 98 S.Ct. 855, 55 L.Ed.2d 24 (1978). Today the Court recognizes *708 that this principle also applies to a local government when implementation of its official policies or established customs inflicts the constitutional injury.

II

This Court traditionally has been hesitant to overrule prior constructions of statutes or interpretations of common-law rules. “*Stare decisis* is usually the wise policy,” *Burnet v. Coronado Oil & Gas Co.*, 285 U.S. 393, 406, 52 S.Ct. 443, 447, 76 L.Ed. 815 (1932) (Brandeis, J., dissenting), but this cautionary principle must give way to countervailing considerations in appropriate circumstances.⁴ I concur in the Court’s view that this is not a case where we should “place on the shoulders of Congress the burden of the Court’s own error.” *Girouard **2045 v. United States*, 328 U.S. 61, 70, 66 S.Ct. 826, 830, 90 L.Ed. 1084 (1946).

⁴ See, e.g., *Continental T.V., Inc. v. GTE Sylvania Inc.*, 433 U.S. 36, 97 S.Ct. 2549, 53 L.Ed.2d 568 (1977); *Machinists v. Wisconsin Emp. Rel. Comm’n*, 427 U.S. 132, 96 S.Ct. 2548, 49 L.Ed.2d 396 (1976); *Braden v. 30th Judicial Circuit Court of Ky.*, 410 U.S. 484, 93 S.Ct. 1123, 35 L.Ed.2d 443 (1973); *Griffin v. Breckenridge*, 91 S.Ct. 1790, 29 L.Ed.2d 338, 403 U.S. 88 (1971); *Boys Markets, Inc. v. Retail Clerks Union*, 398 U.S. 235, 90 S.Ct. 1583, 26 L.Ed.2d 199 (1970); *Burnet v. Coronado Oil & Gas Co.*, 285 U.S. 393, 406–407, n. 1, 52 S.Ct. 443, 76 L.Ed. 815 (1932) (Brandeis, J., dissenting).

Nor is this the usual case in which the Court is asked to overrule a precedent. Here considerations of *stare decisis* cut in both directions. On the one hand, we have a series of rulings that municipalities and counties are not “persons” for purposes of § 1983. On the other hand, many decisions of this Court have been premised on the amenability of school boards and similar entities to § 1983 suits.

In *Monroe* and its progeny, we have answered a question that was never actually briefed or argued in this Court —whether a municipality is liable in damages for injuries that are the direct result of its official policies. “The theory of the complaint [in *Monroe* was] that under the circumstances [t]here alleged the City [was] liable for the acts of its police officers, by virtue of *respondeat superior*. ” Brief for Petitioners, *709 O.T.1960, No. 39, p. 21.⁵ Respondents answered that adoption of petitioners’ position would expose “Chicago and every other municipality in the United States . . . to Civil Rights Act liability through no action of its own and based on action contrary to its own ordinances and the laws of the state it is a part of.” Brief for Respondents, O.T.1960, No. 39, p. 26. Thus the ground of decision in *Monroe* was not advanced by either party and was broader than necessary to resolve the contentions made in that case.⁶

⁵ The District Court in *Monroe* ruled in the municipality’s favor, stating: “[S]ince the liability of the City of Chicago is based on the doctrine of *respondeat superior*; and since I have already held that the complaint fails to state a claim for relief against the agents of the city, there is no claim for relief against the city itself.” Record, O.T.1960, No. 39, p. 30. The Court of Appeals affirmed for the same reason. 272 F.2d 365–366 (CA7 1959). Petitioners in this Court also offered an alternative argument that the city of Chicago was a “person” for purposes of § 1983, Brief for Petitioners, O.T.1960, No. 39, p. 25, but the underlying theory of municipal liability remained one of *respondeat superior*.

⁶ The doctrine of *stare decisis* advances two important values of a rational system of law: (i) the certainty of legal principles and (ii) the wisdom of the conservative vision that existing rules should be presumed rational and not subject to modification “at any time a new thought seems appealing,” dissenting opinion of Mr. Justice REHNQUIST, post, at 2050; cf. O. Holmes, *The Common Law* 36 (1881). But, at the same time, the law has recognized the necessity of change, lest rules “simply persis[t] from blind imitation of the past.” Holmes, *The Path of the Law*, 10 Harv.L.Rev. 457, 469 (1897). Any overruling of prior precedent, whether of a constitutional decision or otherwise, deserves to some extent the value of certainty. But I think we owe somewhat less deference to a decision that was rendered without benefit of a full airing of all the relevant considerations. That is the premise of the canon of interpretation that language in a decision not necessary to the holding may be accorded less weight in subsequent cases. I also would recognize the fact that until this case the Court has not had to confront squarely the consequences of holding § 1983 inapplicable to official municipal policies.

Of course, the mere fact that an issue was not argued or briefed does not undermine the precedential force of a considered holding. *Marbury v. Madison*, 5 U.S. 137, 1 Cranch 137, 2 L.Ed. 60 (1803), cited by the dissent, *post*, at 2049–2050, is a case in point. But the Court's recognition of its power to invalidate legislation not in conformity with constitutional command was essential to its judgment in *Marbury*. And on numerous subsequent occasions, the Court has been required to apply the full breadth of the *Marbury* holding. In *Monroe*, on the other hand, the Court's rationale was broader than necessary to meet the contentions of the parties and to decide the case in a principled manner. The language in *Monroe* cannot be dismissed as dicta, but we may take account of the fact that the Court simply was not confronted with the implications of holding § 1983 inapplicable to official municipal policies. It is an appreciation of those implications that has prompted today's re-examination of the legislative history of the 1871 measure.

*710 Similarly, in *Moor v. County of Alameda*, 411 U.S. 693, 93 S.Ct. 1785, 36 L.Ed.2d 596 (1973), petitioners asserted that “the County was vicariously liable for the acts of its deputies and sheriff,” *id.*, at 696, 93 S.Ct. at 1789, under 42 U.S.C. § 1988. In rejecting this vicarious-liability claim, 411 U.S., at 710, and n. 27, 93 S.Ct., at 1796, and n. 27, we reaffirmed *Monroe*'s reading of the statute, but there was no challenge in that case to “the holding in *Monroe* concerning the status under § 1983 of public entities **2046 such as the *County*,” 411 U.S., at 700, 93 S.Ct., at 1790; Brief for Petitioners, O.T.1972, No. 72–10, p. 9.

Only in *City of Kenosha v. Bruno*, 412 U.S. 507, 93 S.Ct. 2222, 37 L.Ed.2d 109 (1973), did the Court confront a § 1983 claim based on conduct that was both authorized under state law and the direct cause of the claimed constitutional injury. In *Kenosha*, however, we raised the issue of the city's amenability to suit under § 1983 on our own initiative.⁷

⁷ In *Aldinger v. Howard*, 427 U.S. 1, 16, 96 S.Ct. 2413, 2421, 49 L.Ed.2d 276 (1976), we reaffirmed *Monroe*, but petitioner did not contest the proposition that counties were excluded from the reach of § 1983 under *Monroe*, and the question before us concerned the scope of pendent-party jurisdiction with respect to a state-law claim. Similarly, the parties in *Mt. Healthy City Board of Ed. v. Doyle*, 429 U.S. 274, 97 S.Ct. 568, 50 L.Ed.2d 471 (1977), did not seek a re-examination of our ruling in *Monroe*.

This line of cases—from *Monroe* to *Kenosha*—is difficult to reconcile on a principled basis with a parallel series of cases *711 in which the Court has assumed *sub silentio* that some local government entities could be sued under § 1983. If now, after full consideration of the question, we continued to adhere to *Monroe*, grave doubt would be cast upon the Court's exercise of § 1983 jurisdiction over school boards. See *ante*, at 2022 n. 5. Since “the principle of blanket immunity established in *Monroe* cannot be cabined short of school boards,” *ante*, at 2039, the conflict is squarely presented. Although there was an independent basis of jurisdiction in many of the school board cases because of the inclusion of individual public officials as nominal parties, the opinions of this Court make explicit reference to the school board party, particularly in discussions of the relief to be awarded, see, e.g., *Green v. County School Board*, 391 U.S. 430, 437–439, 441–442, 88 S.Ct. 1689, 20 L.Ed.2d 716 (1968); *Milliken v. Bradley*, 433 U.S. 267, 292–293, 97 S.Ct. 2749, 53 L.Ed.2d 745 (1977) (Powell, J., concurring in judgment). And, as the Court points out, *ante*, at 2038–2039, and nn. 62, 63, Congress has focused specifically on this Court's school board decisions in several statutes. Thus the exercise of § 1983 jurisdiction over school boards, while perhaps not premised on considered holdings, has been longstanding. Indeed, it predated *Monroe*.

Even if one attempts to explain away the school board decisions as involving suits which “may be maintained against board members in their official capacities for injunctive relief under either § 1983 or *Ex parte Young*, 209 U.S. 123, 28 S.Ct. 441, 52 L.Ed. 714 (1908),” *post*, at 2049, n. 2, some difficulty remains in rationalizing the relevant body of precedents. At least two of the school board cases involved claims for monetary relief. *Cohen v. Chesterfield County School Board*, 326 F.Supp. 1159, 1161 (ED Va.1971), rev'd, 474 F.2d 395 (CA4 1973), rev'd and remanded, 414 U.S. 632, 94 S.Ct. 791, 39 L.Ed.2d 52 (1974); *Tinker v. Des Moines School Dist.*, 393 U.S. 503, 504, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969). See also *Vlandis v. Kline*, 412 U.S. 441, 445, 93 S.Ct. 2230, 37 L.Ed.2d 63 (1973). Although the point was not squarely presented in this Court, these claims *712 for damages could not have been maintained in official-capacity suits if the government entity were not itself suable. Cf. *Edelman v.*

Jordan, 415 U.S. 651, 94 S.Ct. 1347, 39 L.Ed.2d 662 (1974).⁸ Moreover the rationale of *Kenosha* would have to be disturbed to avoid closing all avenues under § 1983 to injunctive relief against constitutional violations by local government. The Court of Appeals in this case suggested that we import, by analogy, the Eleventh Amendment fiction of *Ex parte Young* into § 1983, 532 F.2d 259, 264–266 (CA2 1976). That approach, however, would create tension with *Kenosha* because it would require “a bifurcated application” **2047 of “the generic word ‘person’ in § 1983” to public officials “depending on the nature of the relief sought against them.” 412 U.S., at 513, 93 S.Ct. at 2226. A public official sued in his official capacity for carrying out official policy would be a “person” for purposes of injunctive relief, but a non-“person” in an action for damages. The Court’s holding avoids this difficulty. See *ante*, at 2036 n. 55.

⁸ To the extent that the complaints in those cases asserted claims against the individual defendants in their personal capacity, as well as official capacity, the court would have had authority to award the relief requested. There is no suggestion in the opinions, however, that the practices at issue were anything other than official, duly authorized policies.

Finally, if we continued to adhere to a rule of absolute municipal immunity under § 1983, we could not long avoid the question whether “we should, by analogy to our decision in *Bivens v. Six Unknown Fed. Narcotics Agents*, 403 U.S. 388, 91 S.Ct. 1999, 29 L.Ed.2d 619 (1971), imply a cause of action directly from the Fourteenth Amendment which would not be subject to the limitations contained in § 1983” *Mt. Healthy City Board of Ed. v. Doyle*, 429 U.S. 274, 278, 97 S.Ct. 568, 571, 50 L.Ed.2d 471 (1977). One aspect of that inquiry would be whether there are any “special factors counselling hesitation in the absence of affirmative action by Congress,” *Bivens v. Six Unknown Fed. Narcotics Agents*, 403 U.S. 388, 396, 91 S.Ct. 1999, 2005, 29 L.Ed.2d 619 (1971), such as an “explicit congressional declaration *713 that persons injured by a [municipality] may not recover money damages . . . , but must instead be remitted to another remedy, equally effective in the view of Congress,” *id.*, at 397, 91 S.Ct. at 2005. In light of the Court’s persuasive re-examination in today’s decision of the 1871 debates, I would have difficulty inferring from § 1983 “an explicit congressional declaration” against municipal liability for the implementation of official policies in violation of the Constitution. Rather than constitutionalize a cause of action against local government that Congress intended to create in 1871, the better course is to confess error and set the record straight, as the Court does today.⁹

⁹ Mr. Justice REHNQUIST’s dissent makes a strong argument that “[s]ince *Monroe*, municipalities *have* had the right to expect that they would not be held liable retroactively for their officers’ failure to predict this Court’s recognition of new constitutional rights.” *Post*, at 2049. But it reasonably may be assumed that most municipalities already indemnify officials sued for conduct within the scope of their authority, a policy that furthers the important interest of attracting and retaining competent officers, board members, and employees. In any event, the possibility of a qualified immunity, as to which the Court reserves decision, may remove some of the harshness of liability for good-faith failure to predict the often uncertain course of constitutional adjudication.

III

Difficult questions nevertheless remain for another day. There are substantial line-drawing problems in determining “when execution of a government’s policy or custom” can be said to inflict constitutional injury such that “government as an entity is responsible under § 1983.” *Ante*, at 2038. This case, however, involves formal, written policies of a municipal department and school board; it is the clear case. The Court also reserves decision on the availability of a qualified municipal immunity. *Ante*, at 2041. Initial resolution of the question whether the protection available at common law for municipal corporations, see *post*, at 2051, or other principles support a *714 qualified municipal immunity in the context of the § 1983 damages action, is left to the lower federal courts.

Mr. Justice STEVENS, concurring in part.

Since Parts II and IV of the opinion of the Court are merely advisory and are not necessary to explain the Court's decision, I join only Parts I, III, and V.

Mr. Justice REHNQUIST, with whom THE CHIEF JUSTICE joins, dissenting.

Seventeen years ago, in *Monroe v. Pape*, 365 U.S. 167, 81 S.Ct. 473, 5 L.Ed.2d 492 (1961), this Court held that the 42d Congress did not intend to subject a municipal corporation to liability as a "person" within the meaning of 42 U.S.C. § 1983. Since then, the Congress has remained silent, but this Court has reaffirmed that holding on at **2048 least three separate occasions. *Aldinger v. Howard*, 427 U.S. 1, 96 S.Ct. 2413, 49 L.Ed.2d 276 (1976); *City of Kenosha v. Bruno*, 412 U.S. 507, 93 S.Ct. 2222, 37 L.Ed.2d 109 (1973); *Moor v. County of Alameda*, 411 U.S. 693, 93 S.Ct. 1785, 36 L.Ed.2d 596 (1973). See also *Mt. Healthy City Board of Ed. v. Doyle*, 429 U.S. 274, 277–279, 97 S.Ct. 568, 50 L.Ed.2d 471 (1977). Today, the Court abandons this long and consistent line of precedents, offering in justification only an elaborate canvass of the same legislative history which was before the Court in 1961. Because I cannot agree that this Court is "free to disregard these precedents," which have been "considered maturely and recently" by this Court, *Runyon v. McCrary*, 427 U.S. 160, 186, 96 S.Ct. 2586, 49 L.Ed.2d 415 (1976) (Powell, J., concurring), I am compelled to dissent.

I

As this Court has repeatedly recognized, *id.*, at 175 n. 12, 96 S.Ct., at 2596; *Edelman v. Jordan*, 415 U.S. 651, 671 n. 14, 94 S.Ct. 1347, 39 L.Ed.2d 662 (1974), considerations of *stare decisis* are at their strongest when this Court confronts its previous constructions of legislation. In all cases, private parties shape their conduct according to this Court's settled construction of the law, but the Congress is at *715 liberty to correct our mistakes of statutory construction, unlike our constitutional interpretations, whenever it sees fit. The controlling principles were best stated by Mr. Justice Brandeis:

"*Stare decisis* is usually the wise policy, because in most matters it is more important that the applicable rule of law be settled than that it be settled right. . . . This is commonly true even where the error is a matter of serious concern, provided correction can be had by legislation. But in cases involving the Federal Constitution, where correction through legislative action is practically impossible, this court has often overruled its earlier decisions." *Burnet v. Coronado Oil & Gas Co.*, 285 U.S. 393, 406–407, 52 S.Ct. 443, 447, 76 L.Ed. 815 (1932) (dissenting opinion) (footnotes omitted).

Only the most compelling circumstances can justify this Court's abandonment of such firmly established statutory precedents. The best exposition of the proper burden of persuasion was delivered by Mr. Justice Harlan in *Monroe* itself:

"From my point of view, the policy of *stare decisis*, as it should be applied in matters of statutory construction, and, to a lesser extent, the indications of congressional acceptance of this Court's earlier interpretation, require that it appear *beyond doubt* from the legislative history of the 1871 statute that [*United States v. Classic*, [313 U.S. 299, 61 S.Ct. 1031, 85 L.Ed. 1368 (1941)] and *Screws v. United States*, 325 U.S. 91, 65 S.Ct. 1031, 89 L.Ed. 1495 (1945)] misapprehended the meaning of the controlling provision, before a departure from what was decided in those cases would be justified." 365 U.S., at 192, 81 S.Ct., at 487 (concurring opinion) (footnote omitted; emphasis added).

The Court does not demonstrate that any exception to this general rule is properly applicable here. The Court's first assertion, that *Monroe* "was a departure from prior practice," *ante*, at 2038, is patently erroneous. Neither in *Douglas v. City of Jeannette*, 319 U.S. 157, 63 S.Ct. 877, 87 L.Ed. 1324 (1943), nor in *716 *Holmes v. Atlanta*, 350 U.S. 879, 76 S.Ct. 141, 100 L.Ed. 776 (1955), nor in any of the school board cases cited by the Court, *ante*,

at 2022 n. 5, was the question now before us raised by any of the litigants or addressed by this Court. As recently as four Terms ago, we said in *Hagans v. Lavine*, 415 U.S. 528, 535 n. 5, 94 S.Ct. 1372, 1378 n. 5, 39 L.Ed.2d 577 (1974):

“Moreover, when questions of jurisdiction have been passed on in prior decisions *sub silentio*, this Court has never considered itself bound when a subsequent case finally brings the jurisdictional issue before us.”

The source of this doctrine that jurisdictional issues decided *sub silentio* are not binding in other cases seems to be Mr. Chief Justice **2049 Marshall's remark in *United States v. More*, 3 Cranch 159, 172, 2 L.Ed. 397 (1805).¹ While the Chief Justice also said that such decisions may “have much weight, as they show that this point neither occurred to the bar or the bench,” *Bank of the United States v. Deveaux*, 5 Cranch 61, 88, 3 L.Ed. 38 (1809), unconsidered assumptions of jurisdiction simply cannot outweigh four consistent decisions of this Court, explicitly considering and rejecting that jurisdiction.

¹ As we pointed out in *Mt. Healthy City Board of Ed. v. Doyle*, 429 U.S. 274, 278–279, 97 S.Ct. 568, 571–572, 50 L.Ed.2d 471 (1977), the existence of a claim for relief under § 1983 is “jurisdictional” for purposes of invoking 28 U.S.C. § 1343, even though the existence of a meritorious constitutional claim is not similarly required in order to invoke jurisdiction under 28 U.S.C. § 1331. See *Bell v. Hood*, 327 U.S. 678, 682, 66 S.Ct. 773, 90 L.Ed. 939 (1946).

Nor is there any indication that any later Congress has ever approved suit against any municipal corporation under § 1983. Of all its recent enactments, only the Civil Rights Attorney's Fees Awards Act of 1976, § 2, 90 Stat. 2641, 42 U.S.C. § 1988 (1976 ed.), explicitly deals with the Civil Rights Act of 1871.² The 1976 Act provides that attorney's fees may be awarded *717 to the prevailing party “[i]n any action or proceeding to enforce a provision of sections 1981, 1982, 1983, 1985, and 1986 of this title.” There is plainly no language in the 1976 Act which would enlarge the parties suable under those substantive sections; it simply provides that parties who are already suable may be made liable for attorney's fees. As the Court admits, *ante*, at 2040, the language in the Senate Report stating that liability may be imposed “whether or not the agency or government is a named party,” S.Rep.No. 94-1011, p. 5 (1976); U.S.Code Cong. & Admin.News 1976, pp. 5908, 5912, suggests that Congress did not view its purpose as being in any way inconsistent with the well-known holding of *Monroe*.

² The other statutes cited by the Court, *ante*, at 2039–2040, n. 63, make no mention of § 1983, but refer generally to suits against “a local educational agency.” As noted by the Court of Appeals, 532 F.2d 259, 264–266, such suits may be maintained against board members in their official capacities for injunctive relief under either § 1983 or *Ex parte Young*, 209 U.S. 123, 28 S.Ct. 441, 52 L.Ed. 714 (1908). Congress did not stop to consider the technically proper avenue of relief, but merely responded to the fact that relief was being granted. The practical result of choosing the avenue suggested by petitioners would be the subjection of school corporations to liability in damages. Nothing in recent congressional history even remotely supports such a result.

The Court's assertion that municipalities have no right to act “on an assumption that they can violate constitutional rights indefinitely,” *ante*, at 2040, is simply beside the point. Since *Monroe*, municipalities *have* had the right to expect that they would not be held liable retroactively for their officers' failure to predict this Court's recognition of new constitutional rights. No doubt innumerable municipal insurance policies and indemnity ordinances have been founded on this assumption, which is wholly justifiable under established principles of *stare decisis*. To obliterate those legitimate expectations without more compelling justifications than those advanced by the Court is a significant departure from our prior practice.

I cannot agree with Mr. Justice POWELL's view that “[w]e owe somewhat less deference to a decision that was rendered without benefit of a full airing of all the relevant considerations.” *Ante*, at 2045 n. 6. Private parties must be able to rely upon explicitly stated holdings of this Court without being *718 obliged to peruse the briefs of the litigants to predict the likelihood that this Court might change its mind. To cast such doubt upon each of our cases, from *Marbury v. Madison*, 1 Cranch 137, 2 L.Ed. 60 (1803), forward, in which the explicit ground of decision “was never actually briefed or argued,” *ante*, at 2044 (POWELL, J., concurring), would introduce intolerable

uncertainty into the law. Indeed, in *Marbury* itself, the argument of Charles Lee on behalf of the applicants—which, unlike the arguments in *Monroe*, is reproduced in the Reports of this Court where anyone **2050 can see it—devotes not a word to the question of whether this Court has the power to invalidate a statute duly enacted by the Congress. Neither this ground of decision nor any other was advanced by Secretary of State Madison, who evidently made no appearance. 1 Cranch, at 153–154. More recent landmark decisions of this Court would appear to be likewise vulnerable under my Brother POWELL's analysis. In *Mapp v. Ohio*, 367 U.S. 643, 81 S.Ct. 1684, 6 L.Ed.2d 1081 (1961), none of the parties requested the Court to overrule *Wolf v. Colorado*, 338 U.S. 25, 69 S.Ct. 1359, 93 L.Ed. 1782 (1949); it did so only at the request of an *amicus curiae*. 367 U.S., at 646 n. 3, 81 S.Ct. 1684. That *Marbury*, *Mapp*, and countless other decisions retain their vitality despite their obvious flaws is a necessary by-product of the adversary system, in which both judges and the general public rely upon litigants to present “all the relevant considerations.” *Ante*, at 2045 n. 6 (POWELL, J., concurring). While it undoubtedly has more latitude in the field of constitutional interpretation, this Court is surely not free to abandon settled statutory interpretation at any time a new thought seems appealing.³

³ I find it somewhat ironic that, in abandoning the supposedly ill-considered holding of *Monroe*, my Brother Powell relies heavily upon cases involving school boards, although he admits that “the exercise of § 1983 jurisdiction . . . [was] perhaps not premised on considered holdings.” *Ante*, at 2046.

Thus, our only task is to discern the intent of the 42d Congress. That intent was first expounded in *Monroe*, and it *719 has been followed consistently ever since. This is not some esoteric branch of the law in which congressional silence might reasonably be equated with congressional indifference. Indeed, this very year, the Senate has been holding hearings on a bill, S. 35, 95th Cong., 1st Sess. (1977), which would remove the municipal immunity recognized by *Monroe*. 124 Cong.Rec. D117 (daily ed. Feb. 8, 1978). In these circumstances, it cannot be disputed that established principles of *stare decisis* require this Court to pay the highest degree of deference to its prior holdings. *Monroe* may not be overruled unless it has been demonstrated “beyond doubt from the legislative history of the 1871 statute that [Monroe] misapprehended the meaning of the controlling provision.” *Monroe*, 365 U.S., at 192, 81 S.Ct., at 487 (Harlan, J., concurring). The Court must show not only that Congress, in rejecting the Sherman amendment, concluded that municipal liability was not unconstitutional, but also that, in enacting § 1, it intended to impose that liability. I am satisfied that no such showing has been made.

II

Any analysis of the meaning of the word “person” in § 1983, which was originally enacted as § 1 of the Ku Klux Klan Act of April 20, 1871, 17 Stat. 13, must begin, not with the Sherman amendment, but with the Dictionary Act. The latter Act, which supplied rules of construction for all legislation, provided:

“That in all acts hereafter passed . . . the word ‘person’ may extend and be applied to bodies politic and corporate . . . unless the context shows that such words were intended to be used in a more limited sense” Act of Feb. 25, 1871, § 2, 16 Stat. 431.

The Act expressly provided that corporations need not be included within the scope of the word “person” where the context suggests a more limited reach. Not a word in the legislative history of the Act gives any indication of the contexts *720 in which Congress felt it appropriate to include a corporation as a person. Indeed, the chief cause of concern was that the Act's provision that “words importing the masculine gender may be applied to females,” might lead to an inadvertent extension of the suffrage to women. Cong. Globe, 41st Cong., 3d Sess., 777 (1871) (remarks of Sen. Sawyer).

There are other factors, however, which suggest that the Congress which enacted § 1983 may well have intended the word **2051 “person” “to be used in a more limited sense,” as *Monroe* concluded. It is true that this Court had held that both commercial corporations, *Louisville R. Co. v. Letson*, 2 How. 497, 558, 11 L.Ed. 353 (1844), and municipal corporations, *Cowles v. Mercer County*, 7 Wall. 118, 121, 19 L.Ed. 86 (1869), were “citizens” of a State

within the meaning of the jurisdictional provisions of Art. III. Congress, however, also knew that this label did not apply in all contexts, since this Court in *Paul v. Virginia*, 8 Wall. 168, 19 L.Ed. 357 (1869), had held commercial corporations not to be “citizens” within the meaning of the Privileges and Immunities Clause, U.S. Const., Art. IV, § 2. Thus, the Congress surely knew that, for constitutional purposes, corporations generally enjoyed a different status in different contexts. Indeed, it may be presumed that Congress intended that a corporation should enjoy the same status under the Ku Klux Klan Act as it did under the Fourteenth Amendment, since it had been assured that § 1 “was so very simple and really reënact[ed] the Constitution.” Cong. Globe, 42d Cong., 1st Sess., 569 (1871) (remarks of Sen. Edmunds). At the time § 1983 was enacted the only federal case to consider the status of corporations under the Fourteenth Amendment had concluded, with impeccable logic, that a corporation was neither a “citizen” nor a “person.” *Insurance Co. v. New Orleans*, 13 Fed.Cas. 67 (No. 7,052) (CC La. 1870).

Furthermore, the state courts did not speak with a single voice with regard to the tort liability of municipal corporations. Although many Members of Congress represented *721 States which had retained absolute municipal tort immunity, see, e. g., *Irvine v. Town of Greenwood*, 89 S.C. 511, 72 S.E. 228 (1911) (collecting earlier cases), other States had adopted the currently predominant distinction imposing liability for proprietary acts, see generally 2 F. Harper & F. James, Law of Torts § 29.6 (1956), as early as 1842, *Bailey v. Mayor of City of New York*, 3 Hill 531 (N.Y. 1842). Nevertheless, no state court had ever held that municipal corporations were always liable in tort in precisely the same manner as other persons.

The general remarks from the floor on the liberal purposes of § 1 offer no explicit guidance as to the parties against whom the remedy could be enforced. As the Court concedes, only Representative Bingham raised a concern which could be satisfied only by relief against governmental bodies. Yet he never directly related this concern to § 1 of the Act. Indeed, Bingham stated at the outset, “I do not propose now to discuss the provisions of the bill in detail,” Cong. Globe, 42d Cong., 1st Sess., App. 82 (1871), and, true to his word, he launched into an extended discourse on the beneficent purposes of the Fourteenth Amendment. While Bingham clearly stated that Congress could “provide that no citizen in any State shall be deprived of his property by State law or the judgment of a State court without just compensation therefor,” *id.*, at 85, he never suggested that such a power was exercised in § 1.⁴ *722 Finally, while Bingham has often been advanced as the chief expositor of the Fourteenth Amendment, *Duncan v. Louisiana*, 391 U.S. 145, 165, 88 S.Ct. 1444, 20 L.Ed.2d 491 (1968) (Black, J., concurring); *Adamson v. California*, 332 U.S. 46, 73–74, 67 S.Ct. 1672, 91 L.Ed. 1903 (1947) (Black, J., dissenting), there is nothing **2052 to indicate that his colleagues placed any greater credence in his theories than has this Court. See *Duncan, supra*, at 174–176, 88 S.Ct. 1444 (Harlan, J., dissenting); *Adamson, supra*, at 64, 67 S.Ct. 1672 (Frankfurter, J., concurring).

⁴ It has not been generally thought, before today, that § 1983 provided an avenue of relief from unconstitutional takings. Those federal courts which have granted compensation against state and local governments have resorted to an implied right of action under the Fifth and Fourteenth Amendments. *Richmond Elks Hall Assn. v. Richmond Redevelopment Agency*, 561 F.2d 1327 (CA9 1977), aff’g 389 F.Supp. 486 (N.D.Cal. 1975); *Foster v. City of Detroit*, 405 F.2d 138, 140 (CA6 1968). Since the Court today abandons the holding of *Monroe* chiefly on the strength of Bingham’s arguments, it is indeed anomalous that § 1983 will provide relief only when a local government, not the State itself, seizes private property. See *ante*, at 2035 n. 54; *Fitzpatrick v. Bitzer*, 427 U.S. 445, 452, 96 S.Ct. 2666, 49 L.Ed.2d 614 (1976); *Edelman v. Jordan*, 415 U.S. 651, 674–677, 94 S.Ct. 1347, 1361–1363, 39 L.Ed.2d 662 (1974).

Thus, it ought not lightly to be presumed, as the Court does today, *ante*, at 2035 n. 53 that § 1983 “should prima facie be construed to include ‘bodies politic’ among the entities that could be sued.” Neither the Dictionary Act, the ambivalent state of judicial decisions, nor the floor debate on § 1 of the Act gives any indication that any Member of Congress had any inkling that § 1 could be used to impose liability on municipalities. Although Senator Thurman, as the Court emphasizes, *ante*, at 2033 n. 45, expressed his belief that the terms of § 1 “are as comprehensive as can be used,” Cong. Globe, 42d Cong., 1st Sess., App. 217 (1871), an examination of his lengthy remarks demonstrates that it never occurred to him that § 1 did impose or could have imposed any liability upon municipal corporations. In an extended parade of horribles, this “old Roman,” who was one of the Act’s most implacable

opponents, suggested that state legislatures, Members of Congress, and state judges might be held liable under the Act. *Ibid.* If, at that point in the debate, he had any idea that § 1 was designed to impose tort liability upon cities and counties, he would surely have raised an additional outraged objection. Only once was that possibility placed squarely before the Congress—in its consideration of the Sherman amendment—and the Congress squarely rejected it.

The Court is probably correct that the rejection of the Sherman amendment does not lead ineluctably to the conclusion that Congress intended municipalities to be immune from liability under all circumstances. Nevertheless, it cannot be *723 denied that the debate on that amendment, the only explicit consideration of municipal tort liability, sheds considerable light on the Congress' understanding of the status of municipal corporations in that context. Opponents of the amendment were well aware that municipalities had been subjected to the jurisdiction of the federal courts in the context of suits to enforce their contracts, Cong. Globe, 42d Cong., 1st Sess., 789 (1871) (remarks of Rep. Kerr), but they expressed their skepticism that such jurisdiction should be exercised in cases sounding in tort:

“Suppose a judgment obtained under this section, and no property can be found to levy upon except the courthouse, can we levy on the courthouse and sell it? So this section provides, and that too in an action of tort, in an action *ex delicto*, where the county has never entered into any contract, where the State has never authorized the county to assume any liability of the sort or imposed any liability upon it. It is in my opinion simply absurd.” *Id.*, at 799 (remarks of Rep. Farnsworth).

Whatever the merits of the constitutional arguments raised against it, the fact remains that Congress rejected the concept of municipal tort liability on the only occasion in which the question was explicitly presented. Admittedly this fact is not conclusive as to whether Congress intended § 1 to embrace a municipal corporation within the meaning of “person,” and thus the reasoning of *Monroe* on this point is subject to challenge. The meaning of § 1 of the Act of 1871 has been subjected in this case to a more searching and careful analysis than it was in *Monroe*, and it may well be that on the basis of this closer analysis of the legislative debates a conclusion contrary to the *Monroe* holding could have been reached when that case was decided 17 years ago. But the rejection of the Sherman amendment remains instructive in that here alone did the legislative debates squarely focus on the liability of municipal corporations, and that liability was rejected. *724 Any inference which might be drawn from the Dictionary Act or from general expressions of benevolence in the debate on § 1 that the word “person” was intended to include municipal corporations falls far short of showing “beyond doubt” that this Court in *Monroe* **2053 “misapprehended the meaning of the controlling provision.” Errors such as the Court may have fallen into in *Monroe* do not end the inquiry as to *stare decisis*; they merely begin it. I would adhere to the holding of *Monroe* as to the liability of a municipal corporation under § 1983.

III

The decision in *Monroe v. Pape* was the fountainhead of the torrent of civil rights litigation of the last 17 years. Using § 1983 as a vehicle, the courts have articulated new and previously unforeseeable interpretations of the Fourteenth Amendment. At the same time, the doctrine of municipal immunity enunciated in *Monroe* has protected municipalities and their limited treasuries from the consequences of their officials' failure to predict the course of this Court's constitutional jurisprudence. None of the Members of this Court can foresee the practical consequences of today's removal of that protection. Only the Congress, which has the benefit of the advice of every segment of this diverse Nation, is equipped to consider the results of such a drastic change in the law. It seems all but inevitable that it will find it necessary to do so after today's decision.

I would affirm the judgment of the Court of Appeals.

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Filings (11)

Title	PDF	Court	Date	Type
1. Reply Brief for Petitioners Jane MONELL, et al., Petitioners, v. DEPARTMENT OF SOCIAL SERVICES, OF THE CITY OF NEW YORK, et al., Respondents. 1977 WL 187960	—	U.S.	Oct. 28, 1977	Brief
2. Reply Brief for Petitioners Jane MONELL, et al., Petitioners, v. DEPARTMENT OF SOCIAL SERVICES, OF THE CITY OF NEW YORK, et al., Respondents. 1977 WL 189851	—	U.S.	Oct. 28, 1977	Brief
3. Reply Brief for Petitioners Monell v. Department of Social Services, of the City of New York 1977 WL 204764	—	U.S.	Oct. 28, 1977	Brief
4. Brief for Respondents Jane MONELL, et al., Petitioners, v. DEPARTMENT OF SOCIAL SERVICES OF THE CITY OF NEW YORK, et al., Respondents. 1977 WL 187959	—	U.S.	July 12, 1977	Brief
5. Brief for Respondents Jane MONELL, et al., Petitioners, v. DEPARTMENT OF SOCIAL SERVICES OF THE CITY OF NEW YORK, et al., Respondents. 1977 WL 189850	—	U.S.	July 12, 1977	Brief
6. Brief for Respondents Monell v. Department of Social Services of the City of New York 1977 WL 204765	—	U.S.	July 12, 1977	Brief
7. Brief for Petitioners Jane MONELL, et al., Petitioners, v. DEPARTMENT OF SOCIAL SERVICES OF THE CITY OF NEW YORK, et al., Respondents. 1977 WL 187958	—	U.S.	May 11, 1977	Brief
8. Brief for National Education Association and Lawyers' Committee for Civil Rights Under Law, as Amici Curiae Jane MONELL, et al., Petitioners, v. DEPARTMENT OF SOCIAL SERVICES OF THE CITY OF NEW YORK, et al., Respondents. 1977 WL 187961	—	U.S.	May 11, 1977	Brief
9. Brief for Petitioners Jane MONELL, et al., Petitioners, v. DEPARTMENT OF SOCIAL SERVICES OF THE CITY OF NEW YORK, et al., Respondents. 1977 WL 189849	—	U.S.	May 11, 1977	Brief

Title	PDF	Court	Date	Type
10. Brief for Petitioners Monell v. Department of Social Services of the City of New York 1977 WL 204763	—	U.S.	May 11, 1977	Brief
11. Brief for National Education Association and Lawyers' Committee for Civil Rights Under Law, as Amici Curiae Jane MONELL, et al., Petitioners, v. DEPARTMENT OF SOCIAL SERVICES OF THE CITY OF NEW YORK, et al., Respondents. 1977 WL 189852	—	U.S.	May 1977	Brief

Negative Treatment

Negative Citing References (211)

The KeyCited document has been negatively referenced by the following events or decisions in other litigation or proceedings:

Treatment	Title	Date	Type	Depth	Headnote(s)
Not Followed on State Law Grounds	 1. Robinson v. Solano County MOST NEGATIVE 218 F.3d 1030 , 9th Cir.(Cal.) CIVIL RIGHTS - Excessive Force. Pointing guns at arrestee's head could constitute excessive force.	July 12, 2000	Case		5 6 S.Ct.
Not Followed on State Law Grounds	 2. Washington v. Robertson County 29 S.W.3d 466 , Tenn. CIVIL RIGHTS - Malicious Harassment. Individuals and governmental entities may be liable for malicious harassment under Tennessee Human Rights Act.	Oct. 02, 2000	Case		—
Not Followed on State Law Grounds	3. Morton v. Town of Wagram 2001 WL 68232 , M.D.N.C. This matter is before the court on a motion to strike and motions to dismiss filed by Defendants Town of Wagram (Wagram), Wagram Police Chief Jerry Monroe (Monroe), and Brian Keith...	Jan. 19, 2001	Case		5 S.Ct.
Not Followed on State Law Grounds	4. Boggs v. State 25 N.Y.S.3d 545 , N.Y.Ct.Cl. CIVIL RIGHTS - Prisons. Prisoner could bring state constitutional tort claim relating to exposure to raw sewage from toilet.	Dec. 09, 2015	Case		5 S.Ct.
Overruling Recognized by	5. Gray v. GC Services/Apple 2020 WL 6729413 , N.D.N.Y. The Clerk has sent to the court a civil complaint filed by pro se plaintiff Michele Gray. (Dkt. No. 1) Plaintiff has also filed an application to proceed in forma pauperis ("IFP"),...	July 09, 2020	Case		1 S.Ct.
Disagreement Recognized by	 6. Bethesda Lutheran Homes and Services, Inc. v. Leeann 154 F.3d 716 , 7th Cir.(Wis.) Private long-term care facility for mentally retarded individuals, together with certain current and prospective patients of the facility, sued state and local officials and the...	Sep. 03, 1998	Case		5 S.Ct.
Disagreement Recognized by	 7. Choate v. County of Orange 103 Cal.Rptr.2d 339 , Cal.App. 4 Dist. CIVIL RIGHTS - Attorney Fees. Deputies were not entitled to attorney fees in civil rights case brought by street fight instigators.	Dec. 18, 2000	Case		4 5 6 S.Ct.
Disagreement Recognized by	 8. Gulino v. Board of Educ. of City School Dist. of City of New York 236 F.Supp.2d 314 , S.D.N.Y.	Nov. 25, 2002	Case		6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
	EDUCATION - Civil Rights. State board of education was considered "employer" in action by teachers under Title VII.				
Disagreement Recognized by	9. Fuller v. County of Orange 276 Fed.Appx. 675 , 9th Cir.(Cal.) CIVIL RIGHTS - Excessive Force. Factual issues precluded summary judgment for deputies on arrestee's excessive force claim.	May 02, 2008	Case		5 6 S.Ct.
Disagreement Recognized by	10. Brown v. City and County of San Francisco 2011 WL 5025138 , N.D.Cal. Pursuant to 42 U.S.C. § 1983 and California state law, Plaintiffs Earl Brown, Sr. and Helen Brown—individually and as the personal representatives of the estate of their son,...	Oct. 20, 2011	Case		—
Disagreement Recognized by	11. Dillman v. Tuolumne County 2013 WL 3832736 , E.D.Cal. This case concerns the September 18, 2011 arrest of Plaintiffs Michael and Stephen Dillman for alleged "joyriding" and related offenses in connection with their use of a...	July 23, 2013	Case		5 S.Ct.
Disagreement Recognized by	12. Brown v. County of Mariposa 2019 WL 1993990 , E.D.Cal. Judges in the Eastern District of California carry the heaviest caseloads in the nation, and this Court is unable to devote inordinate time and resources to individual cases and...	May 06, 2019	Case		5 S.Ct.
Declined to Extend by	13. Jonelis v. Russo 863 F.Supp. 84 , D.Conn. Arrestee brought § 1983 action against police officers, alleging excessive force. Arrestee also asserted pendent claim against city for assumption of liability for damages...	Aug. 01, 1994	Case		4 6 S.Ct.
Declined to Extend by	14. Stivers v. Pierce 71 F.3d 732 , 9th Cir.(Nev.) After Nevada State Private Investigators Licensing Board denied application for licenses as private investigator, private patrolman, and process server, applicant brought § 1983...	Dec. 01, 1995	Case		5 6 S.Ct.
Declined to Extend by	15. Spiegel v. City of Chicago 920 F.Supp. 891 , N.D.Ill. Arrestee brought § 1983 action against city, five police officers, and employee of Department of Aging. Plaintiff alleged that officers and Department employee failed to...	Mar. 22, 1996	Case		5 S.Ct.
Declined to Extend by	16. O'Hara v. Indiana University of Pennsylvania 171 F.Supp.2d 490 , W.D.Pa. LABOR AND EMPLOYMENT - Discrimination. State university was immune from Title VII gender discrimination claim by applicant.	Mar. 26, 2001	Case		2 4 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Declined to Extend by	17. Mitchell v. Randolph   	July 27, 2001	Case	  	6 S.Ct.
Declined to Extend by	18. Sturdza v. United Arab Emirates  	Mar. 08, 2002	Case	  	1 S.Ct.
Declined to Extend by	19. Little Rock School Dist. v. Pulaski County Special School Dist  	Sep. 13, 2002	Case	  	5 6 S.Ct.
Declined to Extend by	20. Hutchison v. Brookshire Bros., Ltd.  	Sep. 30, 2003	Case	  	5 S.Ct.
Declined to Extend by	21. Roskos v. Sugarloaf Tp.  	Nov. 26, 2003	Case	  	4 5 6 S.Ct.
Declined to Extend by	22. O'Brien v. Indiana Dept. of Correction 	June 01, 2004	Case	  	—
Declined to Extend by	23. Joseph v. Board of Regents of University of Wisconsin System 	Dec. 27, 2005	Case	  	2 S.Ct.
Declined to Extend by	24. Segal v. City of New York  	Aug. 03, 2006	Case	  	6 S.Ct.
Declined to Extend by	25. Wilson v. New Jersey State Police 	Aug. 15, 2006	Case	  	5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Declined to Extend by	26. Raiser v. Utah County	Apr. 10, 2007	Case		4 6 S.Ct.
	2007 WL 1127028 , D.Utah Before the court is the Report and Recommendation (R & R) [# 118] issued by United States Magistrate Judge Warner on March 20, 2007, recommending that the court deny Spanish Fork...				
Declined to Extend by	27. Watson v. Methacton School Dist.	May 14, 2007	Case		4 6 S.Ct.
	513 F.Supp.2d 360 , E.D.Pa. EDUCATION - Civil Rights. State-created danger exception did not apply to § 1983 claim by motorist injured in accident caused by a post-prom party attendee.				
Declined to Extend by	28. Moore v. Brewer	Oct. 10, 2007	Case		2 S.Ct.
	2007 WL 2990542 , E.D.Ky. This matter is pending for consideration of the Defendants' Motion to Dismiss Official Capacity Claims [Record No. 3]. The motion has been fully briefed and is ripe for decision....				
Declined to Extend by	29. Streater v. City of Camden Fire Dept.	Mar. 17, 2008	Case		5 S.Ct.
	567 F.Supp.2d 667 , D.N.J. LABOR AND EMPLOYMENT - Discrimination. Fact issues precluded summary judgment on firefighter's Title VII hostile environment claim.				
Declined to Extend by	30. Waterfront Renaissance Associates v. City of Philadelphia	Mar. 30, 2010	Case		4 6 S.Ct.
	701 F.Supp.2d 633 , E.D.Pa. CIVIL RIGHTS - Municipal Liability. Property developer sufficiently alleged that municipal ordinance facially violated substantive due process rights.				
Declined to Extend by	31. Spavone v. N.Y.S. Department of Correctional Services	May 27, 2010	Case		2 S.Ct.
	2010 WL 2179965 , S.D.N.Y. Plaintiff Steven Spavone ("plaintiff"), proceeding pro se and in forma pauperis, alleges that he was subjected to unconstitutional conditions of confinement at Woodbourne...				
Declined to Extend by	32. Krainski v. Nevada ex rel. Bd. of Regents of Nevada System of Higher Educ.	Aug. 02, 2010	Case		5 6 S.Ct.
	616 F.3d 963 , 9th Cir.(Nev.) EDUCATION - Civil Rights. University student's conclusory allegations were insufficient to state claim for violation of Fourth Amendment.				
Declined to Extend by	33. Ramsey v. Hawaii Paroling Authority	Feb. 14, 2012	Case		3 S.Ct.
	2012 WL 518486 , D.Hawai'i On October 26, 2011, Plaintiff William Ramsey ("Plaintiff") filed a Complaint in the First Circuit Court of the State of Hawaii, asserting that Defendants Roy Reeber, Albert...				
Declined to Extend by	34. Estate of C.A. v. Grier	Jan. 16, 2013	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
	918 F.Supp.2d 619 , S.D.Tex. EDUCATION - Civil Rights. Even if state created danger theory applied, school district did not place a known victim in known danger.				
Declined to Extend by	35. Rodriguez v. City of Los Angeles 2013 WL 12212435 , C.D.Cal. Defendants City of Los Angeles, Carmen Trutanich, Charles Beck, Allan Nadir, Angel Gomez and Does ("City") seek a protective order pursuant to Fed. R. Civ. P. Rule 26(c) to prevent...	Oct. 30, 2013	Case		—
Declined to Extend by	36. Brames v. Hodge 2014 WL 1775619 , S.D.III. Plaintiff Shaun Brames, an inmate at Lawrence Correctional Center ("Lawrence"), brings this action for deprivations of his constitutional rights pursuant to 42 U.S.C. § 1983 and...	May 05, 2014	Case		S.Ct.
Declined to Extend by	37. Chaney v. Louisiana Work Force Com'n 560 Fed.Appx. 417 , 5th Cir.(La.) Pro se Appellant Tony Chaney (hereinafter "Chaney") appeals the district court's dismissal of his claims alleging violations of his civil rights by Louisiana Work Force...	May 14, 2014	Case		S.Ct.
Declined to Extend by	38. Sokolow v. Palestine Liberation Organization 60 F.Supp.3d 509 , S.D.N.Y. TORTS - Terrorism. Summary judgment was not warranted in action to recover for injuries and deaths caused by terrorist attacks in Israel.	Nov. 19, 2014	Case		—
Declined to Extend by	39. Anthony K. v. State	Nov. 21, 2014	Case		S.Ct.
Declined to Extend by	40. Johnson v. City of Philadelphia	May 08, 2015	Case		S.Ct.
Declined to Extend by	41. Angelella v. Avvisato 2016 WL 4379098 , M.D.Pa. Presently before me are two (2) motions to dismiss Plaintiff's Complaint, which alleges sex discrimination pursuant to 42 U.S.C. § 1983 ("Section 1983"), conspiracy to discriminate...	Aug. 17, 2016	Case		S.Ct.
Declined to Extend by	42. Wilson v. Superintendent Robert Gilmore 2016 WL 5661743 , W.D.Pa. Currently pending before the Court in this prisoner civil rights action is a Partial Motion for Summary Judgment (ECF No. 63) filed by Defendants Superintendent Robert Gilmore and...	Sep. 30, 2016	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Declined to Extend by	43. Luo v. Roberts	Oct. 27, 2016	Case		1 4 S.Ct.
	2016 WL 6831122 , E.D.Pa. Currently pending are three related actions under the Individuals With Disabilities Education Act, 20 U.S.C. § 1411, et seq. (IDEA), arising out of the creation of and efforts to...				
Declined to Extend by	44. In re City of Detroit, Mich.	Nov. 14, 2016	Case		2 S.Ct.
	841 F.3d 684 , 6th Cir.(Mich.) BANKRUPTCY — Jurisdiction. Bankruptcy court lacked authority to order injunctive and declaratory relief in Chapter 9 case.				
Declined to Extend by	45. Sigg v. Allen County, Kansas	Nov. 15, 2016	Case		5 S.Ct.
	2016 WL 6716085 , D.Kan. Plaintiff John Sigg was driving at night when he was pulled over for driving with a malfunctioning head lamp. Allen County Sheriff's Deputy Jarod Tingley issued John a citation for...				
Declined to Extend by	46. Fairmont Cash Management, L.L.C. v. James	May 31, 2017	Case		5 S.Ct.
	858 F.3d 356 , 5th Cir.(Tex.) GOVERNMENT — Weapons. Firearms dealer willfully violated Gun Control Act, supporting revocation of federal firearms license.				
Declined to Extend by	47. California Parents for Equalization of Educational Materials v. Torlakson	July 13, 2017	Case		1 2 3 S.Ct.
	267 F.Supp.3d 1218 , N.D.Cal. EDUCATION — Religion. Hindu parents stated § 1983 claim that California public school sixth grade curriculum framework regarding caste system violated Establishment Clause.				
Declined to Extend by	48. Edwards v. Cofield	July 14, 2017	Case		2 S.Ct.
	265 F.Supp.3d 1344 , M.D.Ala. GOVERNMENT — Immunity. Fact that sheriff had no discretion to change county's pretrial detention scheme, did not render him immune to action seeking to enjoin scheme.				
Declined to Extend by	49. Thompson v. South Carolina, Department of Social Services Child Support Division	Sep. 20, 2017	Case		3 S.Ct.
	2017 WL 6419140 , D.S.C. This matter is before the court on Plaintiff's complaint pursuant to 42 U.S.C. § 1983, alleging violation of his due process rights in the state family court proceeding concerning...				
Declined to Extend by	50. Nilsen v. Blum	Oct. 05, 2017	Case		2 S.Ct.
	2017 WL 6520752 , N.D.Cal. In this pro se action for violations of the Fourth, Fifth, and Fourteenth Amendments, defendants move to dismiss. For the reasons herein, the motion is GRANTED. Pro se plaintiff...				
Declined to Extend by	51. A.M. by and through Mixon v. Fresno Unified School District	Dec. 08, 2017	Case		1 2

Treatment	Title	Date	Type	Depth	Headnote(s)
	2017 WL 6209389 , E.D.Cal. Plaintiff is a minor, an individual of African-American heritage, and a student at Pyle Elementary School within the Fresno Unified School District ("FUSD"). ECF No. 2 at ¶¶ 5, 11....				S.Ct.
Declined to Extend by	52. Harris v. Guertin	June 28, 2018	Case		—
	2018 WL 11207219 , S.D.Fla. On July 20, 2017, pro se Plaintiff, Lesley Tracy Harris filed a Complaint [ECF No. 1] asserting claims under 42 U.S.C. section 1983 against numerous Defendants. The Clerk referred...				
Declined to Extend by	53. Burgan v. Nixon	Sep. 28, 2018	Case		—
	2018 WL 4690797 , D.Mont. Plaintiffs William D. Burgan ("Bill Burgan") and Lynette Burgan (collectively, the "Burgans") bring this action against Carbon County, Montana ("the County") pursuant to 42 U.S.C....				
Declined to Extend by	54. Holmes v. Estock	Nov. 08, 2018	Case		2 3 S.Ct.
	2018 WL 5840043 , S.D.Cal. Plaintiff Charles Holmes, a California inmate, brings this civil rights action pursuant to 42 U.S.C. § 1983 alleging violations of his Eighth Amendment right to adequate medical...				
Declined to Extend by	55. United States v. Town of Colorado City	Aug. 26, 2019	Case		2 4 5 S.Ct.
	935 F.3d 804 , 9th Cir.(Ariz.) CIVIL RIGHTS — Municipal Liability. Congress intended to allow for respondeat superior liability against towns pursuant to Violent Crime Control and Law Enforcement Act.				
Declined to Extend by	56. Calhoun v. City of Houston Police Department --- Fed.Appx. ---- , 5th Cir.(Tex.) CIVIL RIGHTS — Arrest and Detention. Arrestee did not state a claim upon which relief could be granted in his § 1983 action against city, police department, police chief, and...	Apr. 08, 2021	Case		6 S.Ct.
Declined to Extend by	57. Madison v. 36th District Court 2021 WL 1424652 , E.D.Mich. Taylor Madison filed this civil rights suit against both the 36th District Court and Judge Nancy M. Blount. She alleges several violations of federal civil rights laws stemming...	Apr. 15, 2021	Case		—
Distinguished by	58. Bogard v. Cook	Dec. 15, 1978	Case		2 S.Ct.
	586 F.2d 399 , 5th Cir.(Miss.) Former prisoner at Mississippi state penitentiary sued prison officials for damages arising out of summary punishments administered to him, a shooting by a trustee guard, and a...				
Distinguished by	59. Stoddard v. School Dist. No. 1, Lincoln County, Wyo. 590 F.2d 829 , 10th Cir.(Wyo.)	Jan. 05, 1979	Case		6 S.Ct.
	590 F.2d 829 , 10th Cir.(Wyo.)				

Treatment	Title	Date	Type	Depth	Headnote(s)
	Schoolteacher whose contract was not renewed brought action against school district, members of the board of trustees, and principal. The United States District Court for the...				
Distinguished by	 60. Patton v. Dumpson 498 F.Supp. 933 , S.D.N.Y. Suit was brought to obtain damages for an alleged violation of the Rehabilitation Act provision which forbids discrimination against the handicapped in federally funded programs. ...	Jan. 23, 1980	Case	  	 5 S.Ct.
Distinguished by	 61. Turpin v. Maitel  619 F.2d 196 , 2nd Cir.(Conn.) After initial decision of the Court of Appeals, 579 F.2d 152, in civil rights action against city was vacated by the United States Supreme Court, 439 U.S. 974, 99 S.Ct. 554, 58...	Apr. 08, 1980	Case	  	 4  5  6 S.Ct.
Distinguished by	 62. Whited v. Fields 581 F.Supp. 1444 , W.D.Va. County sheriff's department employees who were not rehired by newly elected county sheriff brought action for damages and injunctive relief under section 1983 and other civil...	Mar. 05, 1984	Case	  	 5 S.Ct.
Distinguished by	 63. Archie v. City of Racine 627 F.Supp. 766 , E.D.Wis. Civil rights suit was brought arising out of fire department dispatcher's failure to provide rescue services as requested to woman who subsequently died. The District Court,....	Feb. 11, 1986	Case	  	 6 S.Ct.
Distinguished by	 64. Magill v. Appalachia Intermediate Unit 08 646 F.Supp. 339 , W.D.Pa. Guidance counselor brought § 1983 action alleging that defendants violated her rights under First and Fourteenth Amendments, and seeking declaratory and injunctive relief and...	Sep. 24, 1986	Case	  	 5 S.Ct.
Distinguished by	 65. Sarus v. Rotundo  831 F.2d 397 , 2nd Cir.(N.Y.) Arrestees brought § 1983 action against city and police chief to recover damages resulting from arrest. The United States District Court for the Northern District of New York,...	Oct. 15, 1987	Case	  	 4  5  6 S.Ct.
Distinguished by	 66. Chaloux v. Killeen  886 F.2d 247 , 9th Cir.(Idaho) Recipients of governmental benefits brought § 1983 action against county sheriffs, challenging constitutionality of Idaho's postjudgment garnishment procedures, asserting...	Sep. 22, 1989	Case	  	 4  5  6 S.Ct.
Distinguished by	 67. Turner v. Upton County, Tex.  915 F.2d 133 , 5th Cir.(Tex.)	Sep. 11, 1990	Case	  	 5  6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
	Plaintiff sued county sheriff, district attorney and county alleging that county sheriff and district attorney conspired to subject her to sham trial. The United States District...				
Distinguished by	68. <i>Nitcher v. Does</i> 956 F.2d 796 , 8th Cir.(Mo.) Inmate sued under § 1983 alleging deprivation of access to bible and to hygiene materials. Prison officials counterclaimed for damages for abuse of process alleging that inmate...	Feb. 10, 1992	Case		 3 S.Ct.
Distinguished by	69. <i>Martin v. State Through Louisiana Dept. of Public Safety and Corrections</i> 597 So.2d 1092 , La.App. 2 Cir. Driver who was injured when police officer pulled him from car as result of which his car rolled forward pinning driver between door and car sued state to recover for personal...	Apr. 08, 1992	Case		 5 6 S.Ct.
Distinguished by	70. <i>Gonzalez v. Ysleta Independent School Dist.</i> 996 F.2d 745 , 5th Cir.(Tex.) Student and her parents brought action against school district under § 1983, alleging that injuries received by student when she was sexually molested by teacher were attributable...	July 20, 1993	Case		 4 5 6 S.Ct.
Distinguished by	71. <i>American Tel. and Tel. Co. v. Winback and Conserve Program, Inc.</i> 42 F.3d 1421 , 3rd Cir.(N.J.) Seller of telecommunications services brought action against aggregator of 800 inbound telecommunications services for violation of Lanham Act. The United States District Court...	Dec. 09, 1994	Case		 5 S.Ct.
Distinguished by	72. <i>Dove v. Dayton Town Council</i> 1996 WL 33456062 , Va.Cir.Ct. The case was last before the Court on February 21, 1996, for argument upon the existing issues, after which the Court took the matters under advisement. I will deal with the issues...	Apr. 12, 1996	Case		 1 4 S.Ct.
Distinguished by	73. <i>Pierre v. Schlemmer</i> 932 F.Supp. 278 , M.D.Fla. Personal representative of suspect, who was shot by police officer, filed § 1983 action against officer, police chief, police department, and city. Police department filed motion...	July 01, 1996	Case		 4 6 S.Ct.
Distinguished by	74. <i>Hedberg v. Darlington County Disabilities and Special Needs Bd.</i> 133 F.3d 915 , 4th Cir.(S.C.) Kathy Hedberg, and other Plaintiffs, sued the Darlington County Disabilities and Special Needs Board and related Defendants (collectively the "Board") alleging that they were...	Dec. 24, 1997	Case		 6 S.Ct.
Distinguished by	75. <i>Omnipoint Communications, Inc. v. Penn Forest Tp.</i>	Mar. 31, 1999	Case		 4 6

Treatment	Title	Date	Type	Depth	Headnote(s)
	42 F.Supp.2d 493 , M.D.Pa. Provider of mobile telephone service sued township, claiming that denial of permission to erect signal transmission tower violated Telecommunications Act. Provider moved for...				S.Ct.
Distinguished by	76. Thompson v. Huntington 69 F.Supp.2d 1071 , S.D.Ind. Plaintiff brought § 1983 action against co-chair of county master plan steering committee and others, alleging, among other claims, an infringement of her first amendment freedom...	May 21, 1999	Case		5 S.Ct.
Distinguished by	77. Evans v. Torres 1999 WL 1010983 , N.D.III. Defendants Dr. Hiriberto Torres ("Torres"), Grant Hospital and the Pediatric Center of Chicago, Ltd. ("Grant"), Denise Patton ("Patton"), and the Illinois Department of...	Sep. 30, 1999	Case		2 S.Ct.
Distinguished by	78. Alliance to End Repression v. City of Chicago 2000 WL 562480 , N.D.III. Before the court are plaintiffs' objections to a Report and Recommendation (R & R) issued by Magistrate Judge Bobrick on October 27, 1999. Plaintiffs—CounterMedia, Active...	May 08, 2000	Case		5 6 S.Ct.
Distinguished by	79. Crandall v. City of Chicago 2000 WL 688948 , N.D.III. Pending is defendants Terry Hilliard ("Hilliard") and City of Chicago's ("the City") motion to dismiss Count VII of plaintiff's complaint, to dismiss Hilliard from the case and...	May 24, 2000	Case		5 6 S.Ct.
Distinguished by	80. U.S. ex rel. Garibaldi v. Orleans Parish School Bd. 244 F.3d 486 , 5th Cir.(La.) EDUCATION - Federal Funding. School board was not subject to liability under False Claims Act.	Mar. 28, 2001	Case		1 2 3 S.Ct.
Distinguished by	81. Peoples Rights Org., Inc. v. Montgomery 756 N.E.2d 127 , Ohio App. 12 Dist. CIVIL RIGHTS - State Action. Firearms dealers, in charging handgun buyers the fee paid to state for background checks, did not function as state actors under § 1983.	Apr. 09, 2001	Case		5 S.Ct.
Distinguished by	82. Fennell v. Texas Educ. Agency 273 F.3d 1100 , 5th Cir.(Tex.) Patricia L. Fennell ("Fennell") and the Rameses School of San Antonio, Texas ("Rameses") appeal from the dismissal of their action against the Texas Education Association...	Aug. 22, 2001	Case		2 S.Ct.
Distinguished by	83. Marsh v. Butler County, Ala. 268 F.3d 1014 , 11th Cir.(Ala.)	Sep. 26, 2001	Case		6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
	CIVIL RIGHTS - Prisons. Inmates stated Eighth Amendment claim against county arising from dilapidated jail conditions.				
Distinguished by	 84. Tuchman v. Connecticut 185 F.Supp.2d 169 , D.Conn. TRANSPORTATION - Hazardous Substances. Business had no property right in state permit to conduct transshipment of hazardous waste.	Feb. 08, 2002	Case	  	 2 S.Ct.
Distinguished by	85. Doe ex rel. Doe v. Barger 193 F.Supp.2d 1112 , E.D.Ark. EDUCATION - Disabled Students. Student failed to exhaust his administrative remedies under IDEA.	Mar. 25, 2002	Case	  	—
Distinguished by	 86. Jones v. Department of Motor Vehicles 2002 WL 538893 , Cal.App. 1 Dist. TRANSPORTATION - Motor Vehicles. Department of Motor Vehicles had no mandatory duty to prevent the issuance of unlawful duplicate licenses.	Apr. 11, 2002	Case	  	 3  4  6 S.Ct.
Distinguished by	87. Peyton v. Winnebago County 2002 WL 1750767 , N.D.Ill. CIVIL RIGHTS - Prisons. County could not be held vicariously liable for alleged negligent conduct of nurses at county jail.	July 26, 2002	Case	  	 5 S.Ct.
Distinguished by	88. Crockett v. City of Northlake, IL 2002 WL 31236085 , N.D.Ill. CIVIL RIGHTS - Excessive Force. Fact issue existed as to whether officer used knife properly in cutting flex cuffs off of citizen.	Oct. 01, 2002	Case	  	 6 S.Ct.
Distinguished by	 89. NASD Dispute Resolution, Inc. v. Judicial Council of California 232 F.Supp.2d 1055 , N.D.Cal. GOVERNMENT - Immunity. Eleventh Amendment barred individual suit against adopters of arbitration guidelines.	Nov. 12, 2002	Case	  	 2 S.Ct.
Distinguished by	90. Bond v. Aguinaldo 256 F.Supp.2d 810 , N.D.Ill. CIVIL RIGHTS - Prisons. State prison physicians were immune, in their official capacities, from § 1983 suit by inmate.	Apr. 17, 2003	Case	  	 3  4  6 S.Ct.
Distinguished by	91. Murphy v. County of McHenry 2003 WL 1908045 , N.D.Ill. Plaintiffs, Dennis Murphy, Susan L. Murphy, and Stonehedge, Inc. (collectively referred to as the "Murphys"), have filed a three-count amended complaint against defendants, the...	Apr. 18, 2003	Case	  	 4  6 S.Ct.
Distinguished by	 92. Baker v. Indiana Family & Social Services Admin. 260 F.Supp.2d 731 , S.D.Ind.	Apr. 29, 2003	Case	  	 2 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
	LABOR AND EMPLOYMENT - Discrimination. Employee failed to exhaust national origin discrimination claim under Title VII.				
Distinguished by	93. Fortuna's Cab Service, Inc. v. City of Camden 269 F.Supp.2d 562 , D.N.J. CIVIL RIGHTS - Due Process. Ordinance adding taxi stands at specific locations did not create protected property interest in those stands.	June 20, 2003	Case		4 6 S.Ct.
Distinguished by	94. Horstman v. County of DuPage 284 F.Supp.2d 1125 , N.D.Ill. CIVIL RIGHTS - Right to Bear Arms. County was not liable for sheriff's alleged policy of harassing gun-owners.	Sep. 29, 2003	Case		5 6 7 S.Ct.
Distinguished by	95. Carpanzano v. College of DuPage 2003 WL 22889432 , N.D.Ill. Defendant College of DuPage has moved pursuant to Federal Rule of Civil Procedure 12(b)(6) to dismiss plaintiff's claims against it. For the reasons stated below, the motion to...	Dec. 08, 2003	Case		5 6 S.Ct.
Distinguished by	96. Oakwood Acceptance Corp., LLC v. Massengill 590 S.E.2d 412 , N.C.App. TAXATION - Collection. Irregularity in tax sale of mobile home was material and prejudicial to lender.	Jan. 20, 2004	Case		4 5 6 S.Ct.
Distinguished by	97. Green v. City of Philadelphia 92 Fed.Appx. 873 , 3rd Cir.(Pa.) CIVIL RIGHTS - Due Process. Officers did not violate due process rights of citizen by returning gun to another citizen.	Mar. 10, 2004	Case		5 6 S.Ct.
Distinguished by	98. Clobridge v. Ward 2005 WL 1185819 , W.D.Okla. Before the Court is the Motion of Defendants Kevin Ward, Jim E. Siler, and Lt. Jim McBride ("Defendants") to Dismiss for Lack of Subject Matter Jurisdiction. Plaintiffs filed a...	May 18, 2005	Case		3 6 S.Ct.
Distinguished by	99. Broussard v. City of Denham Springs 2005 WL 8155654 , M.D.La. This action was originally before the court on a Motion to Dismiss filed by the City of Denham Springs ("Defendants") (doc. 6). Plaintiffs Brad Broussard ("Broussard") and Steve...	July 22, 2005	Case		4 S.Ct.
Distinguished by	100. Franklin County Deputy Sheriff's Ass'n v. Pennsylvania Labor Relations Bd. 885 A.2d 613 , Pa.Cmwth. LABOR AND EMPLOYMENT - Bargaining Unit. Deputy sheriffs were not guards under state Public Employee Relations Act for purposes of forming separate bargaining unit.	Oct. 21, 2005	Case		4 6 S.Ct.
Distinguished by	101. Crawford County v. Jones 232 S.W.3d 433 , Ark.	Mar. 16, 2006	Case		6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
	LABOR AND EMPLOYMENT - Whistleblowing. Whether employee's reporting of alleged misdeeds to quorum court members constituted reporting to appropriate authorities was issue for jury...				
Distinguished by	102. Allen v. Washington 	Oct. 24, 2006	Case	  	1 2 S.Ct.
Distinguished by	103. Kraft v. Lee 	Nov. 22, 2006	Case	  	4 6 S.Ct.
Distinguished by	104. Allen v. Washington 2006 WL 7132917 , W.D.Wash. This matter comes before the Court on defendants' motion for summary judgment on the state law claims brought by plaintiffs in their first amended complaint. (Dkt.# 41). The Court...	Nov. 27, 2006	Case	  	—
Distinguished by	 105. Estate of Harvey v. Roanoke City Sheriff's Office 2007 WL 602091 , W.D.Va. The Estate of Hezekiah Harvey, by and through Harvey's legal representative, Alice Ann Dent ("the plaintiff"), filed this civil rights action against the Roanoke City Sheriff's...	Feb. 23, 2007	Case	  	4 5 6 S.Ct.
Distinguished by	106. Falade v. U.S. 237 Fed.Appx. 723 , 3rd Cir.(N.J.) GOVERNMENT - Tort Claims. In forma pauperis litigant could not hold government liable for actions of judges under respondeat superior theory.	June 06, 2007	Case	  	—
Distinguished by	 107. New West, L.P. v. City of Joliet 491 F.3d 717 , 7th Cir.(Ill.) REAL PROPERTY - Parties. Partnership had Article III standing to assert claims against city for alleged violations of Fair Housing Act.	July 05, 2007	Case	  	5 S.Ct.
Distinguished by	108. Rooks v. Altamaha Technical College 2007 WL 2331830 , S.D.Ga. Plaintiff, Douglas E. Rooks, filed this action against Defendant, Altamaha Technical College ("ATC"), pursuant to Title VII of the Civil Rights Act of 1964 ("Title VII"), as...	Aug. 13, 2007	Case	  	—
Distinguished by	 109. Dotson v. Collins  317 Fed.Appx. 439 , 6th Cir.(Ohio) CRIMINAL JUSTICE - Parole. Inmate challenging retroactive application of a change in Ohio's parole release guidelines stated a § 1983 claim.	Jan. 15, 2008	Case	  	4 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by	110. Vargas v. Earl 2008 WL 1744641 , E.D.Wash. Before the Court are Defendant Grant County's Motion for Summary Judgment (C.R.64) and Plaintiff's Motion for Partial Summary Judgment (C.R.68) heard telephonically on March 25,....	Apr. 11, 2008	Case		5 S.Ct.
Distinguished by	111. Pitts v. Hayman 2008 WL 1776568 , D.N.J. Pro se plaintiff, Daryle L. Pitts ("Pitts"), commenced this action on May 14, 2007 alleging, inter alia, that medical and administrative personnel at New Jersey State Prison...	Apr. 16, 2008	Case		4 6 S.Ct.
Distinguished by	112. 84 Video/Newsstand, Inc. v. Sartini 2008 WL 11287170 , N.D.Ohio Plaintiffs 84 Video/Newsstand, Inc., et al. ("Plaintiffs") challenge the constitutionality of Ohio Revised Code § 2907.40, which regulates sexually oriented businesses in Ohio....	May 13, 2008	Case		—
Distinguished by	113. Van Vilkinburgh v. Wulick 2008 WL 2242470 , W.D.Wash. Sheriff's Deputies responded to calls from the Plaintiff's family saying that Dan Van Vilkinburgh was cutting himself and smashing dishes over his head. (Complaint and Answer)....	May 29, 2008	Case		3 S.Ct.
Distinguished by	114. Butler v. Ohio State University Medical Center 2008 WL 11351363 , S.D.Ohio Plaintiff brings claims under both federal and state law, alleging unfair practices and disparate treatment at her place of employment. Plaintiff avers defendants treated her...	June 23, 2008	Case		—
Distinguished by	115. Hyatt v. County of Passaic 2008 WL 2668939 , D.N.J. This matter comes before the Court upon Plaintiff Claudette Hyatt's ("Plaintiff") motion for reconsideration of this Court's decision granting Defendant Passaic County Prosecutor's...	June 27, 2008	Case		6 S.Ct.
Distinguished by	116. Vera-Velez v. Diaz-Sanchez 2008 WL 11501542 , D.Puerto Rico Pending before the Court are Defendants' Motions to Dismiss (Docket ## 15 & 29), and Plaintiffs' Oppositions thereto (Docket ## 25 & 34). After reviewing the filings and the...	July 01, 2008	Case		5 S.Ct.
Distinguished by	117. Herrera v. Morton College 2008 WL 11399011 , N.D.Ill. Plaintiff, Antonio Herrera ("Herrera"), acting pro se, filed a complaint against his former employer, Morton College ("Morton"), and its President, Brent Knight ("Knight"). He...	July 09, 2008	Case		4 S.Ct.
Distinguished by	118. A.M. v. Westside Union School Dist. 2008 WL 2915339 , C.D.Cal.	July 25, 2008	Case		2 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
	Catherine Jeang, Deputy Clerk. The Court finds this motion appropriate for decision without oral argument. Fed.R.Civ.P. 78; Local Rule 7-15. On February 12, 2008, A.M., by and...				
Distinguished by	119. Wauson v. Texas Department of Family and Protective Services 2008 WL 11419033 , W.D.Tex. BE IT REMEMBERED on the 24 day of July 2008 the Court reviewed the file in the above-styled cause, and specifically Defendant Texas Department of Family and Protective Services'...	July 28, 2008	Case		—
Distinguished by	120. Mayes v. Issac 294 Fed.Appx. 137 , 5th Cir.(Tex.) CIVIL RIGHTS - Prisons. Failure to dispense "non-mandatory" arthritis drugs to prisoner during lockdown did not violate Eighth Amendment.	Sep. 26, 2008	Case		2 S.Ct.
Distinguished by	121. Czapracki v. Pennsylvania 2008 WL 5129893 , M.D.Pa. CIVIL RIGHTS - Immunity. A highway foreman's action for wrongful termination against the Pennsylvania Department of Transportation (PennDot) was dismissed where PennDot was...	Dec. 05, 2008	Case		4 6 S.Ct.
Distinguished by	122. Bright v. U.S. Dept. of Justice Drug Enforcement Admin. 2009 WL 2341967 , D.S.C. The plaintiff, Sherrod V. Bright ("plaintiff"), proceeding pro se, brought this action pursuant to Bivens v. Six Unknown Named Agents of Federal Narcotics Agents, 403 U.S. 388, 91...	July 29, 2009	Case		4 6 S.Ct.
Distinguished by	123. Dickerson v. Cal Waste Solutions 2009 WL 2913452 , N.D.Cal. CIVIL RIGHTS - State Action. Employees failed to state claims for hostile work environment and retaliation under § 1983 as the employer was not a state actor.	Sep. 08, 2009	Case		6 S.Ct.
Distinguished by	124. Wells v. Coker 2009 WL 10685442 , C.D.Ill. This cause is before the Court on Defendants Jeff Coker and City of Springfield's Motion to Dismiss (d/e 6) and Memorandum in Support thereof (d/e 7). Plaintiff James Wells filed a...	Sep. 17, 2009	Case		5 S.Ct.
Distinguished by	125. King v. Schieferdecker 2009 WL 3097235 , C.D.Ill. LABOR AND EMPLOYMENT - Discrimination. Illinois Department of Human Services did not have Eleventh Amendment immunity from liability in an employee's Title VII retaliation action.	Sep. 22, 2009	Case		4 6 S.Ct.
Distinguished by	126. Smith ex rel. Smith v. Seligman Unified School Dist. No. 40 of Yavapai County, Ariz. 664 F.Supp.2d 1070 , D.Ariz. EDUCATION - Student Discipline. Suspension of public school student did not violate her constitutional rights.	Oct. 08, 2009	Case		5 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by	127. Carnaby v. City of Houston	Oct. 28, 2009	Case		5 S.Ct.
	2009 WL 7806964 , S.D.Tex. Before the Court are Plaintiffs Motion for Reconsideration (Doc. No. 136), Defendant City of Houston's ("Houston") Motion for Summary Judgment (Doc. No. 74), and Plaintiff's...				
Distinguished by	128. McGrath v. Dominican College of Blauvelt, New York	Nov. 25, 2009	Case		5 6 S.Ct.
	672 F.Supp.2d 477 , S.D.N.Y. EDUCATION - Civil Rights. Mother of college student who committed suicide following alleged sexual assault adequately stated Title IX claim.				
Distinguished by	129. Authement v. Terrebonne Parish Sheriff's Office	Dec. 03, 2009	Case		4 6 S.Ct.
	2009 WL 4782368 , E.D.La. The court, having considered the record, the applicable law, the Report and Recommendation of the United States Magistrate Judge, and the plaintiff's objections to the Magistrate...				
Distinguished by	130. Parsons v. Caruso	Feb. 04, 2010	Case		3 4 6 S.Ct.
	2010 WL 1286416 , E.D.Mich. Before the court are three motions for summary judgment: 1) Defendant Dr. McCarthy's Motion for Summary Judgment Based on Governmental Immunity (Doc. No. 102); 2) Defendants Caruso...				
Distinguished by	131. Ricks v. Norris	June 11, 2010	Case		1 2 S.Ct.
	2010 WL 2383910 , E.D.Ark. Kristi Whitman Ricks filed this lawsuit pursuant to 42 U.S.C. § 1983 on behalf of the estate of Brian Keith Ricks against officers and officials of the Arkansas Department of...				
Distinguished by	132. Donaldson v. City of Homestead	July 28, 2010	Case		—
	2010 WL 11506347 , S.D.Fla. THIS MATTER is before the Court on Defendant's Motion for Summary Judgment [DE-51]. Plaintiff's Amended Complaint alleges a claim of retaliation pursuant to 42 U.S.C. § 1981....				
Distinguished by	133. Menghi v. Hart	Sep. 30, 2010	Case		5 S.Ct.
	745 F.Supp.2d 89 , E.D.N.Y. CIVIL RIGHTS - Damages. Award of \$1 million in compensatory damages was excessive in arrestee's action under Drivers' Privacy Protection Act.				
Distinguished by	134. Ellison v. Tart	Oct. 04, 2010	Case		6 S.Ct.
	2010 WL 3950731 , N.D.Ill. The plaintiff, an inmate in the custody of the Cook County Department of Corrections, has brought this pro se civil rights action pursuant to 42 U.S.C. § 1983. The plaintiff claims...				
Distinguished by	135. Moriarty v. Johnson	Oct. 12, 2010	Case		4

Treatment	Title	Date	Type	Depth	Headnote(s)
	2010 WL 5889520 , M.D.Pa. On August 13, 2008 Plaintiff, Sean Moriarty, an inmate at the State Correctional Institution at Coal Twp. ("SCI-Coal Twp.") , Coal Township, Pennsylvania, originally filed a...				S.Ct.
Distinguished by	136. Brown v. Township of Berlin Police Dept.   	Oct. 20, 2010	Case	  	   S.Ct.
Distinguished by	137. Ferdinand v. City of Midway 2010 WL 4705093 , S.D.Ga. Defendants City of Midway and Liberty Consolidated Planning Commission have moved to dismiss plaintiff's civil rights claims against them. (Docs. 16 & 17.) Plaintiff did not...	Oct. 20, 2010	Case	  	 S.Ct.
Distinguished by	138. Peterson v. Foco 2010 WL 5058352 , W.D.Mich. Plaintiff Toran Peterson, a prisoner under the control of the Michigan Department of Corrections (MDOC), initiated this civil action. Defendant Brian Foco, a corrections officer,...	Dec. 06, 2010	Case	  	—
Distinguished by	139. Miller v. Kozel 2010 WL 5060267 , N.D.Ill. Cheryl Miller brings this suit on her own behalf and as the administrator of the estate of her son, Jamal Miller. Jamal committed suicide while in custody of the Illinois Youth...	Dec. 06, 2010	Case	  	 S.Ct.
Distinguished by	 140. Strasser v. New York 2010 WL 8354575 , N.D.N.Y. Plaintiff Cameron Strasser, a New York State prison inmate, has commenced this action pursuant to 42 U.S.C. § 1983, inter alia, alleging that his civil rights have been violated by...	Dec. 17, 2010	Case	  	—
Distinguished by	141. Seely v. Avery 	Jan. 07, 2011	Case	  	—
Distinguished by	 142. LaTourelle v. Barber 2011 WL 221645 , E.D.Cal. Plaintiff, who is proceeding pro se, brings this civil rights action. Pending before the court is defendants' motion to dismiss (Doc. 5). Also before the court is plaintiff's...	Jan. 21, 2011	Case	  	—
Distinguished by	143. Hebert v. Rodriguez 	May 10, 2011	Case	  	  S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
	CIVIL RIGHTS - Evidence. Arrestee waived objection to admission of his 26-year-old felony conviction in civil rights trial.				
Distinguished by	144. Kerkeles v. City of San Jose 132 Cal.Rptr.3d 143 , Cal.App. 6 Dist. CIVIL RIGHTS - Wrongful Prosecution. Police officer and city were not entitled to summary adjudication of § 1983 claim based on falsified evidence.	Oct. 04, 2011	Case		5 S.Ct.
Distinguished by	145. Rocuba v. Mackrell 2011 WL 6782955 , M.D.Pa. Pending before the court is the defendants' motion for summary judgment . (Doc. No. 30). Based upon the court's review of the motion and related materials, the defendants' motion...	Dec. 21, 2011	Case	—	—
Distinguished by	146. Strasser v. New York 2012 WL 253391 , N.D.N.Y. Plaintiff Cameron Strasser, a New York State prison inmate, commenced this civil rights action due to Defendants' allegedly unlawful conduct during the course of his confinement....	Jan. 26, 2012	Case		—
Distinguished by	147. Phipps v. Adams	Mar. 02, 2012	Case		5 S.Ct.
Distinguished by	148. Daye v. Ballard 2012 WL 967084 , S.D.W.Va. On February 14, 2011, the plaintiff, who is currently an inmate at Huttonsville Correctional Center, filed a Complaint against these defendants, who are prison staff at Mount Olive...	Mar. 02, 2012	Case		3 S.Ct.
Distinguished by	149. Kitko v. Young	May 31, 2012	Case		4 5 S.Ct.
Distinguished by	150. De Contreras v. City of Rialto 894 F.Supp.2d 1238 , C.D.Cal. CIVIL RIGHTS - Excessive Force. City police officer was entitled to qualified immunity from]1983 excessive force claim involving use of stun gun.	Sep. 25, 2012	Case		—
Distinguished by	151. Donahue's Personal Care I v. Pennsylvania 2012 WL 4926366 , W.D.Pa. Defendants' Motion to Dismiss (Doc. 9) will be granted in part and denied in part, and those claims not dismissed will be stayed pending the resolution of Plaintiffs' related state...	Oct. 16, 2012	Case		—
Distinguished by	152. Neal v. County of Shasta	May 22, 2013	Case		1 2

Treatment	Title	Date	Type	Depth	Headnote(s)
	2013 WL 2300072 , Cal.App. 3 Dist. Plaintiff and appellant Teresa Neal claims her civil rights were violated and her personal property taken when defendant County of Shasta's (County) sheriff deputies and SWAT team...				S.Ct.
Distinguished by	 153. Peralta v. Dillard 744 F.3d 1076 , 9th Cir.(Cal.) CIVIL RIGHTS - Prisons. Availability of resources is relevant to § 1983 liability for denying medical treatment to prisoner.	Mar. 06, 2014	Case	  	 2 S.Ct.
Distinguished by	 154. Shields v. Illinois Dept. of Corrections 746 F.3d 782 , 7th Cir.(Ill.) CIVIL RIGHTS - Prisons. Prison medical contractor was not deliberately indifferent to medical needs of inmate who sustained pectoralis tear.	Mar. 12, 2014	Case	  	 2  5 S.Ct.
Distinguished by	155. Liggins v. Hoops 2014 WL 1092551 , C.D.Cal. Pursuant to 28 U.S.C. § 636, the Court has reviewed the Fourth Amended Complaint and all other papers along with the attached Report and Recommendation of the United States...	Mar. 16, 2014	Case	  	 4 S.Ct.
Distinguished by	156. Belloccchio v. New Jersey Dept. of Environmental Protection 16 F.Supp.3d 367 , D.N.J. TRANSPORTATION - Aviation. Property owners did not have property right recognized by state law to be free from noise from city airport.	Apr. 15, 2014	Case	  	 6 S.Ct.
Distinguished by	157. Vago v. County of Los Angeles 2014 WL 12802936 , C.D.Cal. On October 18, 2013, pro se Plaintiff Alexander Vago filed the operative Second Amended Complaint ("SAC") against Defendants County of Los Angeles ("the County"), Gloria Molina,...	July 01, 2014	Case	  	 4 S.Ct.
Distinguished by	158. Kinkead v. Sutmiller 2014 WL 4792161 , W.D.Okla. Plaintiff, a state prisoner appearing pro se and in forma pauperis, has brought this action under 42 U.S.C. § 1983, alleging a violation of his rights under the United States...	Aug. 14, 2014	Case	  	 5 S.Ct.
Distinguished by	159. Abraham v. Oregon Dept. of Corrections 2014 WL 5018813 , D.Or. Magistrate Judge John V. Acosta issued Findings and Recommendation (# 55) on August 13, 2014, in which he recommends the Court grant Defendants' Motion (# 42) for Summary Judgment...	Oct. 02, 2014	Case	  	 2 S.Ct.
Distinguished by	160. Barnes v. Fischer 2014 WL 5293672 , N.D.N.Y. The above-captioned matter comes to this court following a ReportRecommendation by Magistrate	Oct. 15, 2014	Case	  	 1  2 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
	Judge Randolph F. Treese, duly filed September 22, 2014. Following fourteen days from...				
Distinguished by	161. Gierlinger v. Town of Brant 2015 WL 269131 , W.D.N.Y. The instant matter was referred to Magistrate Judge Jeremiah J. McCarthy pursuant to 42 U.S.C. § 636(b) (1) for supervision of all pre-trial proceedings. Plaintiffs sued the Town of...	Jan. 21, 2015	Case		—
Distinguished by	162. Ortega v. Roulhac 2015 WL 337394 , E.D.Pa. Currently pending before the Court are the Motions by Defendant Edward Roulhac and Defendants The School District of Philadelphia, William Hite, and Reginald Fisher (collectively...	Jan. 22, 2015	Case		5 S.Ct.
Distinguished by	163. American Humanist Ass'n v. Matawan-Aberdeen Regional School Dist. 115 A.3d 292 , N.J.Super.L. EDUCATION - Civil Rights. Statute requiring students to recite pledge of allegiance to national flag did not violate state law equal protection right.	Feb. 04, 2015	Case		3 S.Ct.
Distinguished by	164. Culver v. Armstrong 2015 WL 12916994 , D.Wyo. The "Motion for Summary Judgment" filed by defendant Shannon Armstrong (Doc. 52, plaintiff's response in opposition to the motion (Doc. 61), and Armstrong's further reply (Doc....	May 01, 2015	Case		6 S.Ct.
Distinguished by	165. Sandoval v. D.O.C. 2015 WL 13662365 , D.N.M. Marcelino Sandoval is a Muslim inmate who was housed at the Guadalupe County Correctional Facility ("GCCF") in Santa Rosa, New Mexico, from May 19, 2011, through September 2014....	June 19, 2015	Case		4 S.Ct.
Distinguished by	166. Izydore v. Tokuta 775 S.E.2d 341 , N.C.App. EDUCATION - Civil Rights. Denial of professor emeritus status to nominated professor did not violate procedural due process.	Aug. 04, 2015	Case		6 S.Ct.
Distinguished by	167. Allam v. Pike County Children & Youth 2015 WL 12910724 , M.D.Pa. In this civil rights action, the plaintiff, Andrew Allam ("Allam"), an inmate at SCI Coal Township, raises claims pursuant to 42 U.S.C. § 1983 for due-process violations tied to...	Aug. 20, 2015	Case		4 6 S.Ct.
Distinguished by	168. Barnes v. New York State Division of Human Rights 2016 WL 110522 , S.D.N.Y. By notice of motion dated March 2, 2015 (Docket Item 51), pro se plaintiff Billy Barnes moves for leave to file an amended complaint. The proposed amended complaint would add Edith...	Jan. 08, 2016	Case		2 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by	169. Freeman v. Rochester Psychiatric Center 2016 WL 851782 , W.D.N.Y. On January 25, 2012, Freeman filed suit against Rochester Psychiatric Center ("RPC"), his employer, under Title VII of the Civil Rights Act, 42 U.S.C. §§ 2000e et seq. (Docket...)	Mar. 03, 2016	Case		2 S.Ct.
Distinguished by	170. Redding v. Dale County 2016 WL 1243241 , M.D.Ala. Plaintiff was incarcerated in the Dale County Jail when he alleges he was exposed to a Burmese python by two jailer deputies, and he brings this lawsuit seeking redress for...	Mar. 14, 2016	Case		—
Distinguished by	171. Weed v. Jenkins  2016 WL 4420985 , E.D.Mo. This matter is before the Court on Defendants' Motion for Summary Judgment (ECF No. 59) and Plaintiff's Rule 56 Motion for Partial Summary Judgment as to Cpl. Jenkins' Liability...	Aug. 18, 2016	Case		6 S.Ct.
Distinguished by	172. Marchetti v. Superior Court of California 2016 WL 4658959 , N.D.Cal. After receiving a citation for her vehicle's outdated registration, plaintiff Kathleen Marchetti failed to appear in traffic court by the date indicated on her citation. This...	Sep. 07, 2016	Case		—
Distinguished by	173. Liptak v. County 2016 WL 5349429 , D.Minn. On July 14, 2016, the undersigned United States District Judge heard oral argument on Defendants' Motion to Dismiss [Docket No. 35] and Motion to Strike Materials Outside of the...	Sep. 23, 2016	Case		—
Distinguished by	174. Roberts v. New Jersey Turnpike Authority  2016 WL 6407276 , N.J.Super.A.D. CIVIL RIGHTS — Immunity. Turnpike Authority was not a "person" under the New Jersey Civil Rights Act.	Oct. 31, 2016	Case		2 5 S.Ct.
Distinguished by	175. Spencer v. Peters  857 F.3d 789 , 9th Cir.(Wash.) CIVIL RIGHTS — Due Process. Citizen did not have to show that police officer knew or should have known that he was innocent for officer to be liable.	May 18, 2017	Case		6 S.Ct.
Distinguished by	176. Stillwagon v. City of Delaware  274 F.Supp.3d 714 , S.D.Ohio CIVIL RIGHTS — Arrest and Detention. Fact issue existed as to whether officers had probable cause to arrest motorcyclist who fired shots during purported road rage incident.	Aug. 15, 2017	Case		4 5 6 S.Ct.
Distinguished by	177. Classen v. Nutter 2017 WL 6017341 , E.D.Pa. Plaintiff Jose Classen was an inmate in the Philadelphia prison system at the time this action was filed. He has	Dec. 04, 2017	Case		5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
	sued defendants the City of Philadelphia, Aramark Corporation, ...				
Distinguished by	 178. Shakir v. Derby Police Department 284 F.Supp.3d 165 , D.Conn. CIVIL RIGHTS — Due Process. Detective's removal of child from home after father's arrest for suspected child abuse did not trigger procedural due process protections.	Jan. 05, 2018	Case	  	—
Distinguished by	 179. Deferio v. City of Syracuse 306 F.Supp.3d 492 , N.D.N.Y. CIVIL RIGHTS — Free Speech. Exclusive use buffer zone was not narrowly tailored to serve significant government interest as enforced by police officer.	Jan. 31, 2018	Case	  	4 S.Ct.
Distinguished by	180. Kilbride Investments Limited v. Cushman & Wakefield of Pennsylvania, Inc. 294 F.Supp.3d 369 , E.D.Pa. LABOR AND EMPLOYMENT — Employer's Liability. Law firm could be held liable for employee's alleged participation in conspiracy to commit fraud, based on respondeat superior under...	Feb. 20, 2018	Case	  	5 S.Ct.
Distinguished by	181. Mulvaney v. California Highway Patrol 2018 WL 1114549 , C.D.Cal. On May 23, 2017, plaintiffs Danette Mulvaney, Anita L. Evans, and Della Smith filed a complaint in the instant action against defendants California Highway Patrol ("CHP"), Deborah...	Feb. 26, 2018	Case	  	—
Distinguished by	182. Urenda-Bustos v. Williams  2018 WL 1125591 , D.Nev. Presently before the court is defendants Ira Hollingsworth and Bryan Wilson's (collectively, "defendants") motion for summary judgment. (ECF No. 17). Plaintiff Luis Urenda-Bustos...	Feb. 28, 2018	Case	  	1 2 3 S.Ct.
Distinguished by	183. Resendez v. Prance 2018 WL 1531788 , N.D.Ind. Plaintiff Jose Resendez, who played baseball for Purdue University Northwest, alleges in this action that his coach made racially derogatory comments and falsely accused him of...	Mar. 29, 2018	Case	  	—
Distinguished by	184. Rose v. City and County of Denver 2018 WL 1744723 , D.Colo. THIS MATTER comes before the Court on the Defendants' Motion to Dismiss (# 21) and the Plaintiffs' response (# 27). For the following reasons, the Motion to Dismiss is granted in...	Apr. 11, 2018	Case	  	—
Distinguished by	185. Kelly v. Board of Parole Hearing 2018 WL 6307890 , C.D.Cal. The Court's Supplemental Ruling on Motion to Dismiss is circulated and attached hereto. Court confers with the parties. The Court would make its Tentative Ruling [20] final and...	Aug. 13, 2018	Case	  	2 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by	186. Davis v. City of Aransas Pass 2018 WL 4140633 , Tex.App.-Corpus Christi Appellant Johnny Lee Davis appeals from the granting of appellee's motions for summary judgment. By five issues, Davis argues the trial court erred when it granted the motions for...	Aug. 29, 2018	Case		3 S.Ct.
Distinguished by	187. Robinson v. Brown 2018 WL 4951965 , S.D.Cal. Presently before the Court is a Motion to Dismiss by Defendants Edmund G. Brown Jr., California Department of Corrections and Rehabilitation, Scott M. Kernan, Daniel Paramo, and D....	Oct. 12, 2018	Case		7 S.Ct.
Distinguished by	188. Bell v. King County Public Hospital District #1 2019 WL 2022676 , W.D.Wash. The above-entitled Court, having received and reviewed: 1. Defendants PA C. Goon and Dr. Alexander's Motion for Summary Judgment (Dkt. No. 12), Plaintiffs' Response in Opposition...	May 08, 2019	Case		—
Distinguished by	189. Hurd v. District of Columbia 427 F.Supp.3d 21 , D.D.C. CIVIL RIGHTS — Municipal Liability. Former inmate failed to establish pattern of similar constitutional violations as required to demonstrate municipal liability under § 1983 based...	Dec. 11, 2019	Case		1 5 6 S.Ct.
Distinguished by	190. Madero v. Luffey 2020 WL 9815453 , W.D.Pa. On February 13, 2020, the Court issued an Opinion and Order (ECF No. 65) which, inter alia, granted in part and denied in part the Motion to Dismiss filed by Defendant Homeless Cat...	Mar. 13, 2020	Case		5 S.Ct.
Distinguished by	191. Watson v. Sullivan 2020 WL 1873597 , M.D.Fla. Plaintiff Leroy Watson, an inmate in the custody of the Florida Department of Corrections, initiated this action on April 3, 2019, by filing a pro se Civil Rights Complaint...	Apr. 15, 2020	Case		6 S.Ct.
Distinguished by	192. Austin v. Washington Metropolitan Area Transit Authority 2020 WL 2962609 , D.D.C. Plaintiffs Arnold Austin and Wayne Morgan bring these consolidated actions against their employer, Washington Metropolitan Area Transit Authority (WMATA) and its officers, Paul J....	May 28, 2020	Case		—
Distinguished by	193. Walmart Inc. v. Winona County 2020 WL 3956251 , Minn.App. In these consolidated appeals, appellant Walmart Inc. (Walmart) challenges decisions from Winona County District Court and Martin County District Court (collectively, the district...)	July 13, 2020	Case		—
Distinguished by	194. Henderson v. Lizzaraga	Aug. 04, 2020	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
	2020 WL 4495960 , E.D.Cal. Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the Court is (1) plaintiff's motion to compel discovery (ECF...)				
Distinguished by	195. Thompson v. CRF-Cluster Model Program, LLC 2020 WL 4735300 , S.D.N.Y. Plaintiff Peter Thompson formerly resided in an apartment provided by Defendant CRF-Cluster Model Program, LLC, a private entity associated with the Children's Rescue Fund that...	Aug. 14, 2020	Case		—
Distinguished by	196. Osterkamp v. Salt Lake County 2020 WL 5298866 , D.Utah Plaintiffs Kristeen Osterkamp and Tonya Brown Osterkamp, personally and on behalf of the Estate of Scott Kenneth Osterkamp (together, the "Osterkamp Plaintiffs"), brought this...	Sep. 04, 2020	Case		—
Distinguished by	197. Davis v. John 485 F.Supp.3d 1207 , C.D.Cal. CIVIL RIGHTS — Prisons. Prisoner failed to allege that chaplain's actions placed substantial burden on ability to practice religion, as required to state free exercise claim.	Sep. 09, 2020	Case		2 S.Ct.
Distinguished by	198. Barnhouse v. City of Muncie 499 F.Supp.3d 578 , S.D.Ind. CIVIL RIGHTS — Due Process. Exoneree's claim that officers had collective responsibility for fabricating evidence failed to allege a § 1983 claim against individual officers.	Nov. 04, 2020	Case		2 S.Ct.
Distinguished by	199. Mangiafico v. Town of Farmington 2020 WL 8024537 , Conn.Super. This matter has a long and complex substantive and procedural history. The plaintiff owns a home in the defendant town and the captioned matter involves some of the plaintiff's...	Nov. 13, 2020	Case		4 S.Ct.
Distinguished by	200. Stone v. U.S. Embassy Tokyo 2020 WL 6746925 , D.D.C. In this case, Plaintiff Jack Stone, proceeding pro se, claims that the United States Embassy in Tokyo and the Department of State ("Defendants") have unlawfully refused to issue...	Nov. 16, 2020	Case		—
Distinguished by	201. Universal Life Church Monastery Storehouse v. Nabors 508 F.Supp.3d 221 , M.D.Tenn. CIVIL RIGHTS — Religion. Church had standing to bring suit challenging Tennessee statute prohibiting persons who received their ordinations online from performing marriages.	Dec. 22, 2020	Case		3 4 5 S.Ct.
Distinguished by	202. Thurber v. Finn Academy 2021 WL 927627 , W.D.N.Y. Plaintiff Margaret Thurber ("Plaintiff") brings numerous state and federal claims against defendants Finn	Mar. 11, 2021	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
	Academy: An Elmira Charter School (the "School"), the Board of Trustees of...				
Distinguished by	<p>203. D. JEANETTE FINICUM et al., Plaintiffs, v. UNITED STATES OF AMERICA et al., Defendants. Additional Party Names: David Ward, Greg T. Bretzing, Harney County, Kate Brown, Steven Grasty, Travis Hampton</p> <p>2021 WL 3502462 , D.Or. On July 24, 2020, Magistrate Judge Patricia Sullivan issued her Findings and Recommendation (F. & R.) [ECF 161], in which she made the following recommendations: • GRANT in part...</p>	Aug. 05, 2021	Case		—
Limitation of Holding Recognized by	<p>204. Small v. Strain</p> <p>2001 WL 1631341 , E.D.La. Before the undersigned is the motion of the defendants, Rodney J. Strain, Jr., Sheriff of St. Tammany Parish ("Sheriff Strain"), Deputy Ryan Wuerz, Deputy Frank Caminta, and...</p>	Dec. 17, 2001	Case		 6 S.Ct.
Limitation of Holding Recognized by	<p>205. Yates v. City of Covington</p> <p>2002 WL 31012698 , E.D.La. The parties consented to the trial of this matter before a magistrate judge. Rec. doc. 5. Before the undersigned is the motion of the defendant, Rodney J. Strain, Jr., Sheriff of...</p>	Sep. 09, 2002	Case		 5 6 S.Ct.
Limitation of Holding Recognized by	<p>206. Wilson v. Tillman </p> <p>613 F.Supp.2d 1254 , S.D.Ala. CIVIL RIGHTS - Excessive Force. City police officers did not use excessive force on driver believed to be fleeing officers.</p>	May 07, 2009	Case		 4 5 6 S.Ct.
Limitation of Holding Recognized by	<p>207. Fosselman v. Tilton </p> <p>2009 WL 10725677 , S.D.Cal. Jerome Fosselman ("Plaintiff"), a prisoner currently incarcerated at Folsom State Prison in Folsom, California, is proceeding pro se and in forma pauperis in this matter. He filed...</p>	July 28, 2009	Case		 1 2 4 S.Ct.
Modification Recognized by	208. Vincent v. City of Talladega, Ala. <p>980 F.Supp. 410 , N.D.Ala. After city personnel board vacated his suspension, firefighter brought civil rights action under § 1983 against city, city council, and individual defendants, alleging that...</p>	Sep. 23, 1997	Case		 4 5 6 S.Ct.
Modification Recognized by	<p>209. Emery v. City of Toledo </p> <p>178 F.3d 1294 , 6th Cir.(Ohio) Edward Silvio Emery appeals the magistrate judge's dismissal of his civil rights action brought pursuant to 42 U.S.C. § 1983 and the denial of his motion to amend his complaint. We...</p>	Mar. 22, 1999	Case		 4 5 6 S.Ct.
Modification Recognized by	210. Lucaj v. City of Taylor	June 28, 2012	Case		 4 S.Ct.
	2012 WL 2503953 , E.D.Mich.				

Treatment	Title	Date	Type	Depth	Headnote(s)
	Plaintiffs Megann and Victor Lucaj ("Plaintiffs") filed this § 1983 action against the City of Taylor (the "City") and police officers Meggan Kantz, Gina Starzec, Kristina...				
Modification Recognized by	211. White v. Corizon, Inc.  2020 WL 813410 , W.D.Mich. This is a civil rights action brought by a state prisoner under 42 U.S.C. § 1983 and the Americans With Disabilities Act (ADA), 42 U.S.C. § 12101 et seq. Under the Prison Litigation...	Feb. 19, 2020	Case	   	5 S.Ct.

History (4)

Direct History (4)

- 🚩 1. [Monell v. Department of Social Services of City of New York](#)
394 F.Supp. 853 , S.D.N.Y. , Apr. 30, 1975

Decision Affirmed by

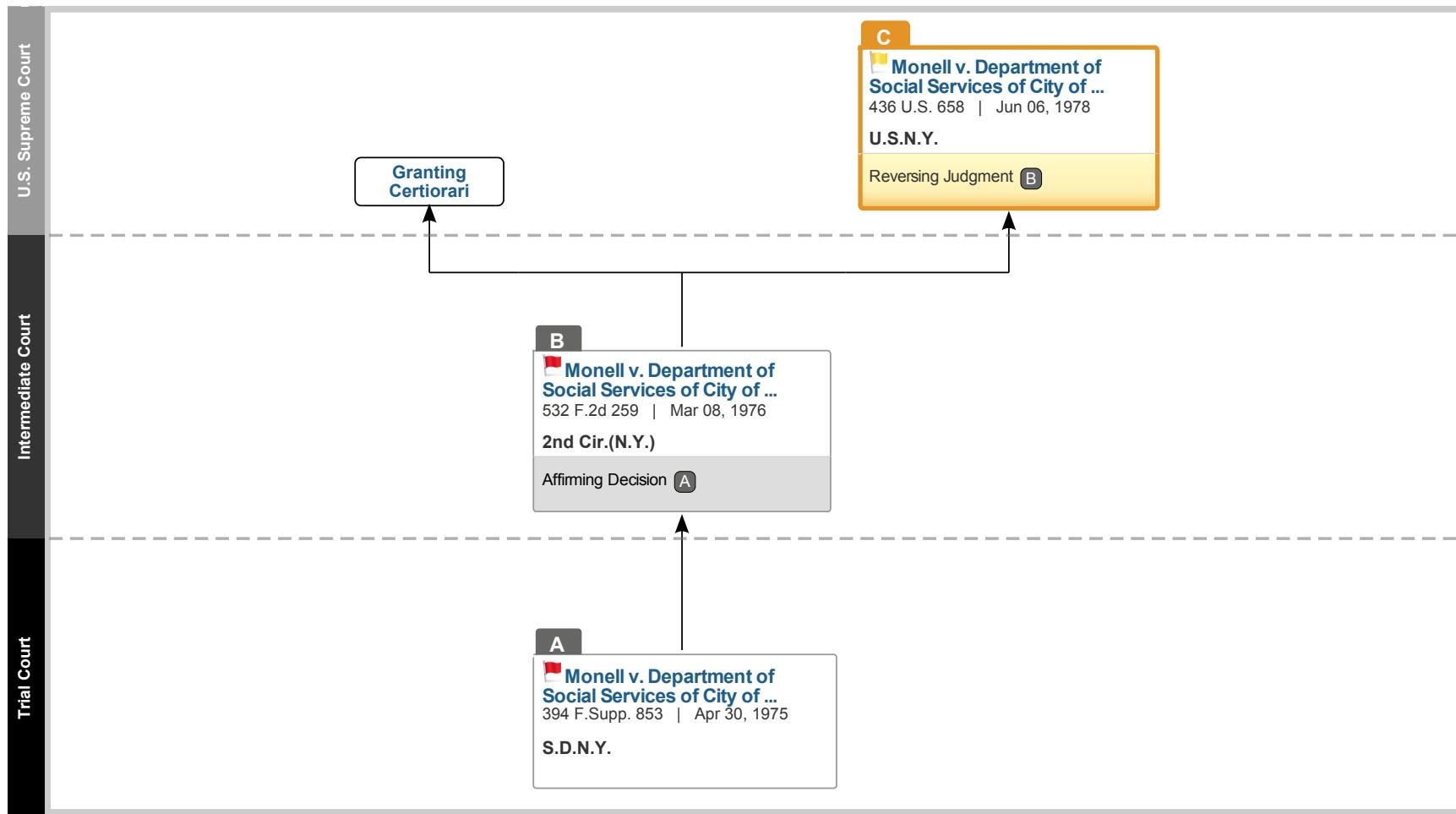
- 🚩 2. [Monell v. Department of Social Services of City of New York](#)
532 F.2d 259 , 2nd Cir.(N.Y.) , Mar. 08, 1976

Certiorari Granted by

- 3. [Monell v. Department of Social Services of City of New York](#)
429 U.S. 1071 , U.S.N.Y. , Jan. 25, 1977

AND Judgment Reversed by

- 🚩 4. [Monell v. Department of Social Services of City of New York](#) ☀
436 U.S. 658 , U.S.N.Y. , June 06, 1978



Citing References (500)

Treatment	Title	Date	Type	Depth	Headnote(s)
Disagreement Recognized by NEGATIVE	1. Brown v. County of Mariposa 2019 WL 1993990, *2+, E.D.Cal. Judges in the Eastern District of California carry the heaviest caseloads in the nation, and this Court is unable to devote inordinate time and resources to individual cases and...	May 06, 2019	Case	 	5 S.Ct.
Disagreement Recognized by NEGATIVE	2. Brown v. City and County of San Francisco 2011 WL 5025138, *1+, N.D.Cal. Pursuant to 42 U.S.C. § 1983 and California state law, Plaintiffs Earl Brown, Sr. and Helen Brown—individually and as the personal representatives of the estate of their son,...	Oct. 20, 2011	Case	 	—
Disagreement Recognized by NEGATIVE	3. Choate v. County of Orange 103 Cal.Rptr.2d 339, 343+, Cal.App. 4 Dist. CIVIL RIGHTS - Attorney Fees. Deputies were not entitled to attorney fees in civil rights case brought by street fight instigators.	Dec. 18, 2000	Case	 	4 5 6 S.Ct.
Declined to Extend by NEGATIVE	4. United States v. Town of Colorado City 935 F.3d 804, 808+, 9th Cir.(Ariz.) CIVIL RIGHTS — Municipal Liability. Congress intended to allow for respondeat superior liability against towns pursuant to Violent Crime Control and Law Enforcement Act.	Aug. 26, 2019	Case	 	2 4 5 S.Ct.
Declined to Extend by NEGATIVE	5. A.M. by and through Mixon v. Fresno Unified School District 2017 WL 6209389, *1+, E.D.Cal. Plaintiff is a minor, an individual of African-American heritage, and a student at Pyle Elementary School within the Fresno Unified School District ("FUSD"). ECF No. 2 at ¶¶ 5, 11....	Dec. 08, 2017	Case	 	1 2 S.Ct.
Declined to Extend by NEGATIVE	6. Sigg v. Allen County, Kansas 2016 WL 6716085, *5+, D.Kan. Plaintiff John Sigg was driving at night when he was pulled over for driving with a malfunctioning head lamp. Allen County Sheriff's Deputy Jarod Tingley issued John a citation for...	Nov. 15, 2016	Case	 	5 S.Ct.
Declined to Extend by NEGATIVE	7. Watson v. Methacton School Dist. 513 F.Supp.2d 360, 379+, E.D.Pa. EDUCATION - Civil Rights. State-created danger exception did not apply to § 1983 claim by motorist injured in accident caused by a post-prom party attendee.	May 14, 2007	Case	 	4 6 S.Ct.
Distinguished by NEGATIVE	8. D. JEANETTE FINICUM et al., Plaintiffs, v. UNITED STATES OF AMERICA et al., Defendants. Additional Party Names: David Ward, Greg T. Bretzing, Harney County, Kate Brown, Steven Grasty, Travis Hampton 2021 WL 3502462, *2+, D.Or. On July 24, 2020, Magistrate Judge Patricia Sullivan issued her Findings and Recommendation (F. & R.) [ECF 161], in which she made the following recommendations: • GRANT in part...	Aug. 05, 2021	Case	 	—

Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by NEGATIVE	9. Barnhouse v. City of Muncie 499 F.Supp.3d 578, 597+ , S.D.Ind. CIVIL RIGHTS — Due Process. Exoneree's claim that officers had collective responsibility for fabricating evidence failed to allege a § 1983 claim against individual officers.	Nov. 04, 2020	Case	 	2 S.Ct.
Distinguished by NEGATIVE	10. Madero v. Luffey  2020 WL 9815453, *2+ , W.D.Pa. On February 13, 2020, the Court issued an Opinion and Order (ECF No. 65) which, inter alia, granted in part and denied in part the Motion to Dismiss filed by Defendant Homeless Cat...	Mar. 13, 2020	Case	 	5 S.Ct.
Distinguished by NEGATIVE	11. Vago v. County of Los Angeles 2014 WL 12802936, *2+ , C.D.Cal. On October 18, 2013, pro se Plaintiff Alexander Vago filed the operative Second Amended Complaint ("SAC") against Defendants County of Los Angeles ("the County"), Gloria Molina,...	July 01, 2014	Case	 	4 S.Ct.
Distinguished by NEGATIVE	 12. Shields v. Illinois Dept. of Corrections  746 F.3d 782, 786+ , 7th Cir.(Ill.) CIVIL RIGHTS - Prisons. Prison medical contractor was not deliberately indifferent to medical needs of inmate who sustained pectoralis tear.	Mar. 12, 2014	Case	 	2 5 S.Ct.
Distinguished by NEGATIVE	13. Strasser v. New York 2012 WL 253391, *1+ , N.D.N.Y. Plaintiff Cameron Strasser, a New York State prison inmate, commenced this civil rights action due to Defendants' allegedly unlawful conduct during the course of his confinement....	Jan. 26, 2012	Case	 	—
Distinguished by NEGATIVE	14. Moriarty v. Johnson  2010 WL 5889520, *5+ , M.D.Pa. On August 13, 2008 Plaintiff, Sean Moriarty, an inmate at the State Correctional Institution at Coal Twp. ("SCI-Coal Twp."), Coal Township, Pennsylvania, originally filed a...	Oct. 12, 2010	Case	 	4 S.Ct.
Distinguished by NEGATIVE	 15. Menghi v. Hart 745 F.Supp.2d 89, 96+ , E.D.N.Y. CIVIL RIGHTS - Damages. Award of \$1 million in compensatory damages was excessive in arrestee's action under Drivers' Privacy Protection Act.	Sep. 30, 2010	Case	 	5 S.Ct.
Distinguished by NEGATIVE	 16. Parsons v. Caruso 2010 WL 1286416, *6+ , E.D.Mich. Before the court are three motions for summary judgment: 1) Defendant Dr. McCarthy's Motion for Summary Judgment Based on Governmental Immunity (Doc. No. 102); 2) Defendants Caruso...	Feb. 04, 2010	Case	 	3 4 6 S.Ct.
Distinguished by NEGATIVE	17. Carnaby v. City of Houston  2009 WL 7806964, *4+ , S.D.Tex. Before the Court are Plaintiffs Motion for Reconsideration (Doc. No. 136), Defendant City of Houston's ("Houston") Motion for Summary Judgment (Doc. No. 74), and Plaintiff's...	Oct. 28, 2009	Case	 	5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by NEGATIVE	18. Smith ex rel. Smith v. Seligman Unified School Dist. No. 40 of Yavapai County, Ariz. 664 F.Supp.2d 1070, 1075+ , D.Ariz. EDUCATION - Student Discipline. Suspension of public school student did not violate her constitutional rights.	Oct. 08, 2009	Case		5 6 S.Ct.
Distinguished by NEGATIVE	19. Herrera v. Morton College 2008 WL 11399011, *2+ , N.D.Ill. Plaintiff, Antonio Herrera ("Herrera"), acting pro se, filed a complaint against his former employer, Morton College ("Morton"), and its President, Brent Knight ("Knight"). He...	July 09, 2008	Case		4 S.Ct.
Distinguished by NEGATIVE	20. Horstman v. County of DuPage 284 F.Supp.2d 1125, 1130+ , N.D.Ill. CIVIL RIGHTS - Right to Bear Arms. County was not liable for sheriff's alleged policy of harassing gun-owners.	Sep. 29, 2003	Case		5 6 7 S.Ct.
Distinguished by NEGATIVE	21. U.S. ex rel. Garibaldi v. Orleans Parish School Bd. 244 F.3d 486, 490+ , 5th Cir.(La.) EDUCATION - Federal Funding. School board was not subject to liability under False Claims Act.	Mar. 28, 2001	Case		1 2 3 S.Ct.
Distinguished by NEGATIVE	22. Gonzalez v. Ysleta Independent School Dist. 996 F.2d 745, 753+ , 5th Cir.(Tex.) Student and her parents brought action against school district under § 1983, alleging that injuries received by student when she was sexually molested by teacher were attributable...	July 20, 1993	Case		4 5 6 S.Ct.
Distinguished by NEGATIVE	23. Chaloux v. Killeen 886 F.2d 247, 249+ , 9th Cir.(Idaho) Recipients of governmental benefits brought § 1983 action against county sheriffs, challenging constitutionality of Idaho's postjudgment garnishment procedures, asserting...	Sep. 22, 1989	Case		4 5 6 S.Ct.
Distinguished by NEGATIVE	24. Turpin v. Malet 619 F.2d 196, 197+ , 2nd Cir.(Conn.) After initial decision of the Court of Appeals, 579 F.2d 152, in civil rights action against city was vacated by the United States Supreme Court, 439 U.S. 974, 99 S.Ct. 554, 58...	Apr. 08, 1980	Case		4 5 6 S.Ct.
Examined by	25. Connick v. Thompson 131 S.Ct. 1350, 1354+ , U.S. CIVIL RIGHTS - Municipal Liability. Need for further training of prosecuting attorneys was not so obvious as to support liability.	Mar. 29, 2011	Case		2 3 5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)			
Examined by	<p> 26. Los Angeles County, Cal. v. Humphries 131 S.Ct. 447, 448+, U.S.</p> <p>CIVIL RIGHTS - Municipal Liability. Monell's "policy or custom" requirement applies to §1983 claims against municipality for monetary or prospective relief.</p>	Nov. 30, 2010	Case	 	<table border="1"> <tr><td>4</td></tr> <tr><td>5</td></tr> <tr><td>6</td></tr> </table> S.Ct.	4	5	6
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Examined by	<p> 27. McMillian v. Monroe County, Ala. 117 S.Ct. 1734, 1734+, U.S.Ala.</p> <p>CIVIL RIGHTS - Counties. Alabama county was not liable for allegedly unconstitutional actions that sheriff took during criminal investigation.</p>	June 02, 1997	Case	 	<table border="1"> <tr><td>4</td></tr> <tr><td>6</td></tr> <tr><td>7</td></tr> </table> S.Ct.	4	6	7
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Examined by	<p> 28. Board of County Com'rs of Bryan County, Okl. v. Brown 117 S.Ct. 1382, 1385+, U.S.Tex.</p> <p>CIVIL RIGHTS - Municipalities. Isolated failure of sheriff to adequately screen deputy did not show deliberate indifference to rights of arrestee on whom deputy used excessive...</p>	Apr. 28, 1997	Case	 	<table border="1"> <tr><td>4</td></tr> <tr><td>5</td></tr> <tr><td>6</td></tr> </table> S.Ct.	4	5	6
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Examined by	<p> 29. Leatherman v. Tarrant County Narcotics Intelligence and Coordination Unit 113 S.Ct. 1160, 1161+, U.S.Tex.</p> <p>CIVIL RIGHTS - Municipal Liability. Federal court may not apply heightened pleading standard in civil rights cases alleging municipal liability under § 1983.</p>	Mar. 03, 1993	Case	 	<table border="1"> <tr><td>5</td></tr> <tr><td>6</td></tr> <tr><td>7</td></tr> </table> S.Ct.	5	6	7
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Examined by	<p> 30. Collins v. City of Harker Heights, Tex. 112 S.Ct. 1061, 1065+, U.S.Tex.</p> <p>Widow of city sanitation department employee who died of asphyxia after entering manhole to unstop sewer line brought § 1983 action against city. The United States District Court...</p>	Feb. 26, 1992	Case	 	<table border="1"> <tr><td>4</td></tr> <tr><td>5</td></tr> <tr><td>6</td></tr> </table> S.Ct.	4	5	6
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Examined by	<p> 31. Jett v. Dallas Independent School Dist. 109 S.Ct. 2702, 2704+, U.S.Tex.</p> <p>White former athletic director and head football coach at public high school brought suit under §§ 1981 and 1983 against school district and black principal, alleging...</p>	June 22, 1989	Case	 	<table border="1"> <tr><td>4</td></tr> <tr><td>5</td></tr> <tr><td>6</td></tr> </table> S.Ct.	4	5	6
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Examined by	<p> 32. Will v. Michigan Dept. of State Police 109 S.Ct. 2304, 2306+, U.S.Mich.</p> <p>Michigan state employee brought action against Department of State Police and its director under federal civil rights statute. The Court of Claims, Thomas L. Brown, J., entered...</p>	June 15, 1989	Case	 	<table border="1"> <tr><td>1</td></tr> <tr><td>2</td></tr> <tr><td>6</td></tr> </table> S.Ct.	1	2	6
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Examined by	<p> 33. City of Canton, Ohio v. Harris 109 S.Ct. 1197, 1199+, U.S.Ohio</p> <p>Detainee brought civil rights action against city, alleging violation of her right to receive necessary medical attention while in police custody. The United States District...</p>	Feb. 28, 1989	Case	 	<table border="1"> <tr><td>4</td></tr> <tr><td>5</td></tr> <tr><td>6</td></tr> </table> S.Ct.	4	5	6
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Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 34. City of St. Louis v. Praprotnik  108 S.Ct. 915, 923+, U.S.Mo. City employee who was transferred and laid off filed suit alleging he had been penalized for exercising his First Amendment rights and deprived of due process. The United States...	Mar. 02, 1988	Case	  	4 5 6 S.Ct.
Examined by	 35. City of Springfield, Mass. v. Kibbe  107 S.Ct. 1114, 1115+, U.S.Mass. Administratrix of police suspect who was fatally shot in motor vehicle pursuit brought action against city and police officers under § 1983. The United States District Court for...	Feb. 25, 1987	Case	  	2 5 6 S.Ct.
Examined by	 36. Pembaur v. City of Cincinnati  106 S.Ct. 1292, 1292+, U.S.Ohio Physician appealed from a decision of the United States District Court for the Southern District of Ohio, Carl B. Rubin, J., Chief Judge, which dismissed civil rights action...	Mar. 25, 1986	Case	  	4 5 6 S.Ct.
Examined by	 37. City of Oklahoma City v. Tuttle  105 S.Ct. 2427, 2429+, U.S.Okla. Widow of man shot by police officer brought Civil Rights Act suit against the officer and his employer city. The United States District Court for the Western District of...	June 03, 1985	Case	  	4 5 6 S.Ct.
Examined by	 38. Brandon v. Holt  105 S.Ct. 873, 874+, U.S.Tenn. The United States District Court for the Western District of Tennessee, 516 F.Supp. 1355, entered a damages judgment against director of city's police department in his official...	Jan. 21, 1985	Case	  	3 4 6 S.Ct.
Examined by	 39. City of Los Angeles v. Lyons 103 S.Ct. 1660, 1671+, U.S.Cal. Plaintiff brought civil rights action against city, seeking damages, injunctive relief and declaratory relief. On remand after an appeal, 615 F.2d 1243, the United States...	Apr. 20, 1983	Case	  	4 5 6 S.Ct.
Examined by	 40. City of Newport v. Fact Concerts, Inc.  101 S.Ct. 2748, 2750+, U.S.R.I. Organization licensed by city of Newport, Rhode Island, to present musical concerts and a promoter of such concerts sued the city and city officials under Civil Rights Act of 1871...	June 26, 1981	Case	  	1 2 S.Ct.
Examined by	 41. Owen v. City of Independence, Mo.  100 S.Ct. 1398, 1401+, U.S.Mo. A suit under the Civil Rights Act was brought against city, city manager, and members of the city council by former police chief who alleged that he was discharged in violation of...	Apr. 16, 1980	Case	  	4 5 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 42. Quern v. Jordan  99 S.Ct. 1139, 1141+, U.S.III. Class action was brought to obtain declaratory and injunctive relief with respect to the alleged failure of the Illinois Department of Public Aid to timely process applications...	Mar. 05, 1979	Case	  	2 4 6 S.Ct.
Examined by	 43. Hutto v. Finney  98 S.Ct. 2565, 2579+, U.S.Ark. State prisoners brought actions against state prison officials alleging violations of constitutional rights. Following prior disposition in district court, 363 F.Supp. 194, and...	June 23, 1978	Case	  	1 2 5 S.Ct.
Examined by	 44. Ballheimer v. Batts  2020 WL 1317444, *3+, S.D.Ind. CIVIL RIGHTS — Immunity. Officers did not violate clearly-established right when having drunk driving suspect forcefully catheterized, and were entitled to qualified immunity.	Mar. 20, 2020	Case	  	3 4 5 S.Ct.
Examined by	45. Ruiz-Cortez v. City of Chicago 931 F.3d 592, 594+, 7th Cir.(Ill.) CIVIL RIGHTS — Witnesses. Plaintiff was entitled to new trial based on decision to allow officer to tell jury that he would "love to testify" but had to invoke Fifth Amendment.	July 26, 2019	Case	  	5 S.Ct.
Examined by	 46. Oyenik v. Corizon Health Incorporated  696 Fed.Appx. 792, 793+, 9th Cir.(Ariz.) CIVIL RIGHTS — Prisons. Question of whether medical provider's delay and denial of care to prisoner constituted a custom of deliberate indifference precluded summary judgment.	June 19, 2017	Case	  	3 5 S.Ct.
Examined by	 47. Kennedy v. Town Of Billerica  617 F.3d 520, 525+, 1st Cir.(Mass.) CIVIL RIGHTS - Arrest and Detention. Jury instruction conveying that battery required proof of injury created prejudicial error in §1983 false arrest claim.	July 13, 2010	Case	  	4 5 6 S.Ct.
Examined by	 48. Young v. City of Providence ex rel. Napolitano  404 F.3d 4, 10+, 1st Cir.(R.I.) LITIGATION - Trial. Erroneous removal of counsel did not warrant automatic reversal of adverse judgment.	Apr. 11, 2005	Case	  	4 5 6 S.Ct.
Examined by	 49. Dirane v. Brookline Police Dept.  315 F.3d 65, 68+, 1st Cir.(Mass.) CIVIL RIGHTS - Immunity. Police chief and captain were entitled to qualified immunity in § 1983 action by police officer.	Dec. 31, 2002	Case	  	4 5 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)			
Examined by	<p> 50. Lyons v. National Car Rental Systems, Inc. (of Delaware) </p> <p>30 F.3d 240, 246+ , 1st Cir.(Mass.)</p> <p>Employee brought action against employer for slander and for violation of Massachusetts Civil Rights Act (MCRA). The United States District Court for the District of...</p>	July 27, 1994	Case	 	<table border="1"> <tr><td>5</td></tr> <tr><td>6</td></tr> </table> S.Ct.	5	6	
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Examined by	<p> 51. Bordanaro v. McLeod </p> <p>871 F.2d 1151, 1155+ , 1st Cir.(Mass.)</p> <p>Persons who were beaten by police officers brought civil rights action against municipality, mayor and police chief. The United States District Court for the District of...</p>	Mar. 30, 1989	Case	 	<table border="1"> <tr><td>4</td></tr> <tr><td>5</td></tr> <tr><td>6</td></tr> </table> S.Ct.	4	5	6
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Examined by	<p> 52. Della Grotta v. State of R.I. </p> <p>781 F.2d 343, 348+ , 1st Cir.(R.I.)</p> <p>Action was brought against state and state officer alleging that they deprived plaintiff of his constitutional rights to be free from false arrest, false imprisonment, false...</p>	Jan. 17, 1986	Case	 	<table border="1"> <tr><td>1</td></tr> <tr><td>2</td></tr> <tr><td>6</td></tr> </table> S.Ct.	1	2	6
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Examined by	<p>53. Agosto v. New York City Department of Education </p> <p>982 F.3d 86, 91+ , 2nd Cir.(N.Y.)</p> <p>EDUCATION — Civil Rights. Public school teacher's complaints about principal's conduct were not protected by First Amendment for purposes of retaliation claim.</p>	Dec. 04, 2020	Case	 	<table border="1"> <tr><td>2</td></tr> <tr><td>5</td></tr> <tr><td>6</td></tr> </table> S.Ct.	2	5	6
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Examined by	<p>54. Lucente v. County of Suffolk </p> <p>980 F.3d 284, 288+ , 2nd Cir.(N.Y.)</p> <p>CIVIL RIGHTS — Prisons. Summary judgment on female inmates' municipal liability claims against county based on corrections officer's sexual misconduct was not warranted.</p>	Nov. 17, 2020	Case	 	<table border="1"> <tr><td>4</td></tr> <tr><td>5</td></tr> </table> S.Ct.	4	5	
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Examined by	<p>55. Chamberlain Estate of Chamberlain v. City of White Plains </p> <p>960 F.3d 100, 101+ , 2nd Cir.(N.Y.)</p> <p>This case arises from a deadly incident that occurred in the City of White Plains, New York, in the early morning of November 19, 2011. It began when Kenneth Chamberlain, Sr....</p>	May 29, 2020	Case	 	—			
Examined by	<p>56. Bellamy v. City of New York </p> <p>914 F.3d 727, 733+ , 2nd Cir.(N.Y.)</p> <p>CIVIL RIGHTS — Municipal Liability. City of New York was the final policymaking authority for purposes of former prisoner's § 1983 claims.</p>	Jan. 29, 2019	Case	 	<table border="1"> <tr><td>6</td></tr> </table> S.Ct.	6		
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Examined by	<p> 57. Askins v. Doe No. 1 </p> <p>727 F.3d 248, 251+ , 2nd Cir.(N.Y.)</p> <p>CIVIL RIGHTS - Municipal Liability. Arresting officer's entitlement to qualified immunity was irrelevant to liability of municipality in arrestee's § 1983 suit.</p>	Aug. 23, 2013	Case	 	<table border="1"> <tr><td>5</td></tr> </table> S.Ct.	5		
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Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	58. Bernstein v. City of New York  496 Fed.Appx. 140, 141+, 2nd Cir.(N.Y.) CIVIL RIGHTS - Arrest and Detention. Police detective had probable cause to arrest suspect for possessing shield resembling those worn by city police officers.	Sep. 14, 2012	Case	  	 4  6 S.Ct.
Examined by	59. Jones v. Town of East Haven 691 F.3d 72, 74+, 2nd Cir.(Conn.) CIVIL RIGHTS - Municipal Liability. Evidence did not show that town had custom or policy of deliberate indifference to abuse, as required for § 1983 liability.	Aug. 01, 2012	Case	  	 5 S.Ct.
Examined by	60. Ceparano v. Suffolk Cnty. Dep't of Health  485 Fed.Appx. 505, 508+, 2nd Cir.(N.Y.) CIVIL RIGHTS - Prisons. Pretrial detainee stated Monell claim against county for nurse's deliberate indifference to serious medical needs.	June 18, 2012	Case	  	 4  6 S.Ct.
Examined by	61. Lee v. City of Syracuse 446 Fed.Appx. 319, 322+, 2nd Cir.(N.Y.) LABOR AND EMPLOYMENT - Discrimination. Jury award of \$400,000 to female police department employee for discrimination retaliation was not excessive.	Oct. 27, 2011	Case	  	—
Examined by	62. Doninger v. Niehoff 642 F.3d 334, 338+, 2nd Cir.(Conn.) EDUCATION - Student Discipline. School officials were entitled to qualified immunity for barring student from running for class office based on internet speech.	Apr. 25, 2011	Case	  	—
Examined by	63. Vives v. City of New York 524 F.3d 346, 348+, 2nd Cir.(N.Y.) CIVIL RIGHTS - Municipal Liability. Fact issues barred summary judgment, in § 1983 unlawful arrest action against city.	May 01, 2008	Case	  	 4  6  7 S.Ct.
Examined by	64. Reynolds v. Giuliani 506 F.3d 183, 190+, 2nd Cir.(N.Y.) CIVIL RIGHTS - State Action. State did not have non-delegable duty to administer decentralized food stamp and Medicaid programs.	Oct. 31, 2007	Case	  	 4  5  6 S.Ct.
Examined by	65. Coon v. Town of Springfield, Vt.  404 F.3d 683, 685+, 2nd Cir.(Vt.) CIVIL RIGHTS - Municipal Liability. Vermont town was not subject to respondeat superior liability in §1983 action.	Apr. 14, 2005	Case	  	 4  5  6 S.Ct.
Examined by	66. DiSorbo v. Hoy 343 F.3d 172, 175+, 2nd Cir.(N.Y.) CIVIL RIGHTS - Arrest and Detention. Punitive damages awards were excessive.	Aug. 29, 2003	Case	  	 5  6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 67. Pearl v. City of Long Beach 296 F.3d 76, 79+ , 2nd Cir.(N.Y.) CIVIL RIGHTS - Limitations. Individual was not permitted to sue police officers or city more than 30 years after alleged attack.	July 15, 2002	Case	  	6 S.Ct.
Examined by	 68. Amato v. City of Saratoga Springs, N.Y. 170 F.3d 311, 316+ , 2nd Cir.(N.Y.) Arrestee brought § 1983 action against city, police department, police chief, police commissioner, and two officers personally involved in alleged use of excessive force during...	Mar. 15, 1999	Case	  	4 5 6 S.Ct.
Examined by	 69. Goldberg v. Town of Rocky Hill  973 F.2d 70, 72+ , 2nd Cir.(Conn.) Former police officer sued town under § 1983 claiming that town's elimination of his position as supernumerary police officer was in retaliation for his constitutionally protected...	Aug. 10, 1992	Case	  	4 6 7 S.Ct.
Examined by	 70. Dodd v. City of Norwich  827 F.2d 1, 5+ , 2nd Cir.(Conn.) Civil rights action was brought against police officer and city to recover damages for death of suspected burglar, who was accidentally shot when he attempted to reach for police...	Aug. 31, 1987	Case	  	4 5 6 S.Ct.
Examined by	 71. Rookard v. Health and Hospitals Corp.  710 F.2d 41, 43+ , 2nd Cir.(N.Y.) Former director of nursing at a municipal hospital appealed from a decision of the United States District Court for the Southern District of New York, Lee P. Gagliardi, J.,....	June 09, 1983	Case	  	4 5 6 S.Ct.
Examined by	 72. Batista v. Rodriguez 702 F.2d 393, 394+ , 2nd Cir.(Conn.) Civil rights action was brought against municipal police officers and city. The United States District Court for the District of Connecticut, Warren W. Eginton, J., entered...	Mar. 11, 1983	Case	  	4 5 6 S.Ct.
Examined by	73. Johnson v. City of Philadelphia 975 F.3d 394, 397+ , 3rd Cir.(Pa.) CIVIL RIGHTS — Duty to Protect. Fire department operator's failure to relay information of existence, location, and need to rescue tenants did not violate substantive due process.	Sep. 22, 2020	Case	 	5 S.Ct.
Examined by	74. Porter v. City of Philadelphia  975 F.3d 374, 381+ , 3rd Cir.(Pa.) CIVIL RIGHTS — Free Speech. City policy barring all public announcements at mortgage foreclosure sheriff's auction did not facially violate First Amendment right of free speech.	Sep. 18, 2020	Case	 	4 5 6 S.Ct.
Examined by	75. Lesende v. Borrero 752 F.3d 324, 328+ , 3rd Cir.(N.J.) CIVIL RIGHTS - Damages. Vacating the remittitur order in § 1983 action was an abuse of discretion.	May 15, 2014	Case	 	5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 76. Brown v. City of Pittsburgh  586 F.3d 263, 292+ , 3rd Cir.(Pa.) CIVIL RIGHTS - Free Speech. Ordinance creating combination of advocacy-free zones around health care facilities violated First Amendment.	Oct. 30, 2009	Case	  	4 6 S.Ct.
Examined by	 77. McTernan v. City of York, PA 564 F.3d 636, 641+ , 3rd Cir.(Pa.) CIVIL RIGHTS - Free Speech. Restriction on pedestrian activity in alley adjacent to clinic was content-neutral.	Apr. 27, 2009	Case	  	4 6 S.Ct.
Examined by	 78. Marable v. West Pottsgrove Tp. 176 Fed.Appx. 275, 280+ , 3rd Cir.(Pa.) CIVIL RIGHTS - Arrest and Detention. Arrestee's claims for false arrest and malicious prosecution were barred under Heck v. Humphrey.	Apr. 19, 2006	Case	  	5 6 S.Ct.
Examined by	 79. Solomon v. Philadelphia Housing Authority 143 Fed.Appx. 447, 456+ , 3rd Cir.(Pa.) CIVIL RIGHTS - Due Process. Housing authority could not be held liable for alleged violation of police officer's due process rights.	Aug. 02, 2005	Case	  	4 6 S.Ct.
Examined by	 80. Langford v. City of Atlantic City  235 F.3d 845, 846+ , 3rd Cir.(N.J.) EDUCATION - Labor and Employment. Terminated school employees stated § 1983 claim against city.	Dec. 18, 2000	Case	  	4 5 6 S.Ct.
Examined by	 81. Simmons v. City of Philadelphia  947 F.2d 1042, 1049+ , 3rd Cir.(Pa.) Mother and administratrix of estate of detainee who hung himself in Philadelphia station house lockup after having been arrested for intoxication brought action seeking damages...	Oct. 18, 1991	Case	  	4 5 6 S.Ct.
Examined by	 82. Anela v. City of Wildwood  790 F.2d 1063, 1066+ , 3rd Cir.(N.J.) Female arrestees filed suit after they were detained overnight following arrest for violating a city's antinoise ordinance. The United States District Court for the District of...	May 22, 1986	Case	  	4 5 6 S.Ct.
Examined by	 83. Bartholomew v. Fischl  782 F.2d 1148, 1149+ , 3rd Cir.(Pa.) Dismissed public employee brought civil rights action against city and its mayor, claiming that his rights under due process clause and First Amendment were violated when city...	Feb. 07, 1986	Case	  	2 4 6 S.Ct.
Examined by	 84. Skehan v. Board of Trustees of Bloomsburg State College  590 F.2d 470, 488+ , 3rd Cir.(Pa.) After determination that college professor's constitutional rights were violated by terminating his employment as a member of faculty without a prior hearing, further proceedings...	Dec. 21, 1978	Case	  	1 2 5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	85. Burgess v. Goldstein 997 F.3d 541, 546+, 4th Cir.(Md.) CRIMINAL JUSTICE — Discovery. Evidence established that homicide detective withheld exculpatory evidence.	May 14, 2021	Case	 	—
Examined by	86. Bruce & Tanya & Associates, Inc. v. Board of Supervisors of Fairfax County, Virginia   854 Fed.Appx. 521, 521+, 4th Cir.(Va.) Virginia has long regulated outdoor advertising visible from its highways to promote the safety of travelers and the aesthetics of its roadways. This case concerns two provisions...	May 10, 2021	Case	 	1 2 S.Ct.
Examined by	 87. Estate of Jones by Jones v. City of Martinsburg, West Virginia 961 F.3d 661, 664+, 4th Cir.(W.Va.) CIVIL RIGHTS — Municipal Liability. City was not subject to liability under § 1983 for failure to train its police officers on use of force based on single incident.	June 09, 2020	Case	 	6 S.Ct.
Examined by	 88. Owens v. Baltimore City State's Attorneys Office   767 F.3d 379, 402+, 4th Cir.(Md.) CIVIL RIGHTS - Due Process. Due process right to disclosure of exculpatory evidence was clearly established pretrial, for purposes of officers qualified immunity argument.	Sep. 24, 2014	Case	 	2 5 7 S.Ct.
Examined by	 89. Randall v. Prince George's County, Md. 302 F.3d 188, 193+, 4th Cir.(Md.) CIVIL RIGHTS - Arrest and Detention. Police officers were not liable for unlawful detentions on basis of bystander liability.	Aug. 14, 2002	Case	 	4 6 7 S.Ct.
Examined by	 90. Berkley v. Common Council of City of Charleston   63 F.3d 295, 296+, 4th Cir.(W.Va.) Civil rights complaint was brought against city based on common council's failure to grant salary increases to plaintiffs who had supported mayoral candidate who was not supported...	Aug. 11, 1995	Case	 	4 5 6 S.Ct.
Examined by	 91. Spell v. McDaniel   824 F.2d 1380, 1384+, 4th Cir.(N.C.) Arrestee brought civil rights action against municipality and individuals in their official capacity, alleging their responsibility for excessive use of force against him. The...	July 24, 1987	Case	 	4 5 6 S.Ct.
Examined by	 92. Paxman v. Campbell   612 F.2d 848, 856+, 4th Cir.(Va.) Two public school teachers brought class action on behalf of all pregnant public school teachers in Virginia challenging allegedly unconstitutional maternity leave policies...	Jan. 02, 1980	Case	 	4 6 7 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	93. Landry v. Laborde-Lahoz 852 Fed.Appx. 123, 126+ , 5th Cir.(Tex.) On behalf of her deceased son, Matthew Nelson, Jana K. Landry has brought claims pursuant to federal and state law against Harris County, Texas, the Texas Department of Criminal...	Apr. 19, 2021	Case	  	—
Examined by	94. Louisiana Division Sons of Confederate Veterans v. City of Natchitoches 821 Fed.Appx. 317, 319+ , 5th Cir.(La.) CIVIL RIGHTS — Free Speech. Mayor's letter asking parade organizer to ban display of Confederate flag did not set official policy, as required for § 1983 municipal liability.	July 30, 2020	Case	 	 6 S.Ct.
Examined by	 95. Ratliff v. Aransas County, Texas 948 F.3d 281, 283+ , 5th Cir.(Tex.) CIVIL RIGHTS — Excessive Force. Deputies' used of deadly force on suspect who ignored repeated warnings to drop his semi-automatic pistol was not objectively unreasonable.	Jan. 15, 2020	Case	 	 6 S.Ct.
Examined by	96. Hicks-Fields v. Harris County, Texas 860 F.3d 803, 808+ , 5th Cir.(Tex.) CIVIL RIGHTS — Excessive Force. Family members of deceased detainee failed to establish pattern of unconstitutional behavior as required to establish municipal liability.	June 26, 2017	Case	 	 5  6 S.Ct.
Examined by	 97. Thomas v. Pohlmann 681 Fed.Appx. 401, 403+ , 5th Cir.(La.) CIVIL RIGHTS — Arrest and Detention. Parish sheriff and deputies were not liable under § 1983 for false arrest, since arrestee and her minor children pled guilty to disturbing the...	Mar. 15, 2017	Case	 	—
Examined by	 98. Salazar-Limon v. City of Houston  826 F.3d 272, 274+ , 5th Cir.(Tex.) CIVIL RIGHTS — Excessive Force. Police officer's use of deadly force was not excessive.	June 15, 2016	Case	 	 2  5  6 S.Ct.
Examined by	 99. Mason v. Lafayette City-Parish Consol. Government 806 F.3d 268, 271+ , 5th Cir.(La.) CIVIL RIGHTS - Excessive Force. Fact issues barred summary judgment, in Fourth Amendment excessive force claim against officer who fatally shot suspect.	Nov. 10, 2015	Case	 	 5 S.Ct.
Examined by	 100. Kitchen v. Dallas County, Tex. 759 F.3d 468, 473+ , 5th Cir.(Tex.) CIVIL RIGHTS - Arrest and Detention. Bystander liability could attach regardless of whether directly responsible detention officer could be specifically identified.	July 17, 2014	Case	 	 5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 101. Kinnison v. City of San Antonio  480 Fed.Appx. 271, 274+ , 5th Cir.(Tex.) CIVIL RIGHTS - Municipal Liability. City waived Monell protections in homeowner's § 1983 due process suit in relation to emergency demolition of property.	May 31, 2012	Case	  	 2  5  6 S.Ct.
Examined by	 102. Duvall v. Dallas County, Tex. 631 F.3d 203, 206+ , 5th Cir.(Tex.) CIVIL RIGHTS - Prisons. Sufficient evidence supported finding, in conditions of confinement case, that detainee contracted infection while in jail.	Jan. 13, 2011	Case	 	 6 S.Ct.
Examined by	 103. Thompson v. Connick 578 F.3d 293, 295+ , 5th Cir.(La.) By reason of an equally divided en banc court, the decision of the district court is AFFIRMED. The panel opinion was vacated by the grant of rehearing en banc.	Aug. 10, 2009	Case	  	 5  6 S.Ct.
Examined by	 104. Arshad ex rel. Arshad v. Congemi --- Fed.Appx. ----+ , 5th Cir.(La.) The Plaintiffs-Appellants, Dr. Kaleem Arshad and Nadeem S. Arshad ("the Arshads"), appeal from the district court's grant of summary judgment in favor of the...	Mar. 09, 2009	Case	  	 4  6 S.Ct.
Examined by	 105. Milam v. City of San Antonio  113 Fed.Appx. 622, 625+ , 5th Cir.(Tex.) CIVIL RIGHTS - Municipal Liability. Evidence did not support finding that city ratified wrongful conduct of arresting officers.	Nov. 03, 2004	Case	  	 4  5  6 S.Ct.
Examined by	 106. Brown v. Bryan County, OK  219 F.3d 450, 453+ , 5th Cir.(Tex.) CIVIL RIGHTS - Municipal Liability. County was liable for failing to train reserve deputy sheriff who used excessive force.	July 18, 2000	Case	  	 4  6 S.Ct.
Examined by	 107. Burge v. Parish of St. Tammany  187 F.3d 452, 464+ , 5th Cir.(La.) Former murder suspect, who was exonerated of crime after conviction and imprisonment, sued district attorney, assistant district attorneys, sheriff, and deputies, seeking damages...	Aug. 25, 1999	Case	  	 4  5  6 S.Ct.
Examined by	 108. Snyder v. Trepagnier  142 F.3d 791, 795+ , 5th Cir.(La.) Civil rights plaintiff, who was shot in the back while fleeing police officer, brought § 1983 action against city, officer, and others, and also sued officer for assault and...	May 27, 1998	Case	  	 4  5  6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 109. Brown v. Bryan County, Okl.  53 F.3d 1410, 1418+, 5th Cir.(Tex.) <p>Arrestee brought § 1983 action against reserve deputy and county, alleging that deputy acted unreasonably and used excessive force in pulling arrestee from passenger's side of car,...</p>	June 02, 1995	Case	  	4 5 6 S.Ct.
Examined by	 110. Doe v. Taylor Independent School Dist.  15 F.3d 443, 452+, 5th Cir.(Tex.) <p>High school student brought civil rights action against school district, superintendent, and principal based on sexual molestation by teacher. The United States District Court...</p>	Mar. 03, 1994	Case	  	4 5 S.Ct.
Examined by	 111. Nobby Lobby, Inc. v. City of Dallas  970 F.2d 82, 91+, 5th Cir.(Tex.) <p>Owners of adult bookstores brought action for declaratory and injunctive relief with respect of seizures of equipment by city police. The United States District Court for the...</p>	Sep. 01, 1992	Case	  	4 5 6 S.Ct.
Examined by	 112. Worsham v. City of Pasadena  881 F.2d 1336, 1339+, 5th Cir.(Tex.) <p>City employee brought § 1983 action against city and other defendants claiming that suspension of his employment violated his constitutional rights. After defendants had been...</p>	Aug. 31, 1989	Case	  	4 5 6 S.Ct.
Examined by	 113. Stokes v. Bullins  844 F.2d 269, 271+, 5th Cir.(Miss.) <p>Citizen shot in stomach and totally disabled during course of execution of arrest warrant for failure to pay traffic fine brought civil rights action against police officer and...</p>	May 10, 1988	Case	  	2 5 6 S.Ct.
Examined by	 114. Jett v. Dallas Independent School Dist.  837 F.2d 1244, 1245+, 5th Cir.(Tex.) <p>White former athletic director and head football coach at public high school brought civil rights action against school district and principal. The United States District Court...</p>	Feb. 05, 1988	Case	  	2 5 6 S.Ct.
Examined by	 115. Jett v. Dallas Independent School Dist.  798 F.2d 748, 759+, 5th Cir.(Tex.) <p>Former athletic director/head football coach at public high school brought civil rights action against school district and principal, alleging due process, First Amendment, and...</p>	Aug. 27, 1986	Case	  	2 5 6 S.Ct.
Examined by	 116. Crane v. State of Tex.  759 F.2d 412, 417+, 5th Cir.(Tex.) <p>Plaintiff brought action challenging county's practice of issuing misdemeanor capias without a finding of probable cause. The United States District Court for the Northern...</p>	May 02, 1985	Case	  	4 6 7 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 117. Webster v. City of Houston  735 F.2d 838, 847+, 5th Cir.(Tex.) Civil rights action was brought against city seeking to recover damages for fatal injuries sustained by an arrestee. The United States District Court for the Southern District of...	July 09, 1984	Case	  	   S.Ct.
Examined by	 118. Bennett v. City of Slidell  728 F.2d 762, 765+, 5th Cir.(La.) Builder brought action against city and city building inspector under civil rights statute for damages caused by prejudicial treatment at hands of city attorney and building...	Apr. 02, 1984	Case	  	   S.Ct.
Examined by	119. Languirand v. Hayden  717 F.2d 220, 223+, 5th Cir.(Miss.) City appealed from a judgment of the United States District Court for the Southern District of Mississippi, John M. Roper, Magistrate, which held it liable under section 1983 for...	Oct. 17, 1983	Case	  	   S.Ct.
Examined by	 120. Webster v. City of Houston  689 F.2d 1220, 1224+, 5th Cir.(Tex.) Parents of 17-year-old youth who was shot by police brought suit against city and six former police officers seeking damages for death of their son. The United States District of...	Oct. 28, 1982	Case	  	   S.Ct.
Examined by	 121. Hernandez v. City of Lafayette  643 F.2d 1188, 1192+, 5th Cir.(La.) Landowner brought civil rights suit against city and its mayor, alleging that the city, through its zoning ordinances and its failure to rezone his land, deprived him of property...	May 01, 1981	Case	  	   S.Ct.
Examined by	 122. Dean v. Gladney  621 F.2d 1331, 1335+, 5th Cir.(Tex.) Arrestees brought civil rights suit against county, cities and law enforcement officers for unlawful arrests and for the imposition of cruel and unusual punishment. The United...	July 24, 1980	Case	  	   S.Ct.
Examined by	 123. Familias Unidas v. Briscoe  619 F.2d 391, 403+, 5th Cir.(Tex.) Suit against state and school board officials was brought by an individual and an unincorporated association, who sought injunctive relief, damages and a declaratory judgment that...	June 18, 1980	Case	  	   S.Ct.
Examined by	 124. Baskin v. Parker  602 F.2d 1205, 1207+, 5th Cir.(La.) Property owners sued sheriff and deputy for damages allegedly suffered as the result of an illegal and unreasonable search of their property. The United States District Court for...	Sep. 24, 1979	Case	  	   S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	125. Kirk v. Calhoun County, Michigan  --- Fed.Appx. ----+, 6th Cir.(Mich.) The parties in this consolidated qualified immunity appeal have remarkably different versions of the facts, but at this stage of the litigation we are concerned only with legal...	July 12, 2021	Case	  	 6 S.Ct.
Examined by	126. Lipman v. Budish 974 F.3d 726, 734+, 6th Cir.(Ohio) CIVIL RIGHTS — Due Process. Child's estate stated substantive due process claim against social workers under state-created danger doctrine.	Sep. 04, 2020	Case	  	 4  5 S.Ct.
Examined by	127. Nichols v. Wayne County, Michigan  822 Fed.Appx. 445, 446+, 6th Cir.(Mich.) CIVIL RIGHTS — Municipal Liability. Owner of car seized by police officer and held by county for three years without forfeiture hearing failed to state municipal liability claim.	Aug. 18, 2020	Case	  	 5 S.Ct.
Examined by	128. Ouza v. City of Dearborn Heights, Michigan 969 F.3d 265, 274+, 6th Cir.(Mich.) CIVIL RIGHTS — Arrest and Detention. Fact issues precluded summary judgment on § 1983 false arrest claim brought by arrestee involved in domestic disturbance.	Aug. 05, 2020	Case	  	 5 S.Ct.
Examined by	129. Meirs v. Ottawa County  821 Fed.Appx. 445, 448+, 6th Cir.(Mich.) CIVIL RIGHTS — Prisons. County did not tolerate, acquiesce, or ratify unconstitutional conduct by officials with final decision-making authority.	July 13, 2020	Case	  	 4 S.Ct.
Examined by	130. Wright v. City of Euclid, Ohio 962 F.3d 852, 860+, 6th Cir.(Ohio) CIVIL RIGHTS — Municipal Liability. Fact issues barred summary judgment, in suspect's § 1983 municipal liability claim against city, in connection with officers' alleged use of...	June 18, 2020	Case	  	 5 S.Ct.
Examined by	131. Crabbs v. Scott  800 Fed.Appx. 332, 336+, 6th Cir.(Ohio) CIVIL RIGHTS — Prisons. Acquittee whose DNA was mistakenly collected after he was acquitted could not establish that county sheriff had policy allowing such collection.	Jan. 17, 2020	Case	  	 5  6 S.Ct.
Examined by	 132. Jackson v. City of Cleveland 925 F.3d 793, 803+, 6th Cir.(Ohio) CIVIL RIGHTS — Conspiracy. Intracorporate conspiracy doctrine applied to § 1983 claim alleging that city police officers conspired to fabricate evidence in murder prosecution.	May 20, 2019	Case	  	 5 S.Ct.
Examined by	 133. Rayfield v. City of Grand Rapids, Michigan 768 Fed.Appx. 495, 497+, 6th Cir.(Mich.) CIVIL RIGHTS — Municipal Liability. Limitation period for Monell claim could not be equitably tolled on basis that detainee was unaware of county's role in his detention.	Apr. 15, 2019	Case	  	 5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 134. Red Zone 12 LLC v. City of Columbus 758 Fed.Appx. 508, 515+ , 6th Cir.(Ohio) CIVIL RIGHTS — Municipal Liability. Hip hop nightclub owner failed to adequately plead city had custom or policy of instituting improper nuisance claims for city to have § 1983...	Feb. 21, 2019	Case	  	5 6 S.Ct.
Examined by	 135. North v. Cuyahoga County 754 Fed.Appx. 380, 382+ , 6th Cir.(Ohio) CIVIL RIGHTS — Prisons. County jail inmate failed to establish that county jail personnel were deliberately indifferent to his serious medical need.	Nov. 05, 2018	Case	 	2 S.Ct.
Examined by	 136. Osberry v. Slusher 750 Fed.Appx. 385, 392+ , 6th Cir.(Ohio) CIVIL RIGHTS — Arrest and Detention. At pleading stage, police officers were not entitled to qualified immunity on arrestee's § 1983 excessive force and unlawful arrest claims.	Sep. 13, 2018	Case	 	5 S.Ct.
Examined by	 137. Hanson v. Madison County Detention Center 736 Fed.Appx. 521, 541+ , 6th Cir.(Ky.) CIVIL RIGHTS — Excessive Force. Deputy jailer did not use excessive force, in violation of Fourth Amendment, against arrestee when he shoved arrestee into wall at county jail.	May 22, 2018	Case	 	5 S.Ct.
Examined by	138. Hardrick v. City of Detroit, Michigan 876 F.3d 238, 243+ , 6th Cir.(Mich.) CIVIL RIGHTS — Searches and Seizures. Fourth Amendment rights of dog owners whose dogs were in public places when seized were not violated.	Nov. 22, 2017	Case	 	2 S.Ct.
Examined by	 139. France v. Lucas 836 F.3d 612, 621+ , 6th Cir.(Ohio) CIVIL RIGHTS — Affidavits. Application of sham affidavit doctrine in § 1983 action, to strike a defendant's affidavit implicating other defendants was not abuse of discretion.	Sep. 07, 2016	Case	 	5 S.Ct.
Examined by	 140. Shadrick v. Hopkins County, Ky. 805 F.3d 724, 737+ , 6th Cir.(Ky.) GOVERNMENT - Immunity. Private for-profit corporation that provided medical services to county inmates was not entitled to governmental immunity on negligence claim.	Nov. 06, 2015	Case	  	—
Examined by	 141. Robertson v. Lucas 753 F.3d 606, 610+ , 6th Cir.(Ohio) CIVIL RIGHTS - Due Process. Arrestees did not have clearly established right to receive exculpatory evidence prior to plea bargaining.	May 28, 2014	Case	 	5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 142. D'Ambrosio v. Marino  747 F.3d 378, 382+ , 6th Cir.(Ohio) CIVIL RIGHTS - Wrongful Prosecution. Former inmate failed to state a claim against lead investigator for failing to turn over potentially exculpatory evidence.	Mar. 27, 2014	Case	  	5 7 S.Ct.
Examined by	 143. Burgess v. Fischer  735 F.3d 462, 478+ , 6th Cir.(Ohio) CIVIL RIGHTS - Excessive Force. Corrections officer and jail nurse were not liable for failure to prevent deputy sheriffs from using excessive force.	Nov. 01, 2013	Case	  	5 6 7 S.Ct.
Examined by	 144. Brown v. Cuyahoga County, Ohio  517 Fed.Appx. 431, 433+ , 6th Cir.(Ohio) CIVIL RIGHTS - Prisons. Inmate was not entitled to amend § 1983 complaint for alleged beating at county jail in order to identify Doe defendants.	Mar. 15, 2013	Case	  	4 S.Ct.
Examined by	 145. Baar v. Jefferson County Bd. of Educ.  476 Fed.Appx. 621, 634+ , 6th Cir.(Ky.) EDUCATION - Civil Rights. School principal and human relations manager were protected by qualified immunity.	Mar. 07, 2012	Case	  	3 S.Ct.
Examined by	 146. Morrison v. Board of Educ. of Boyd County  521 F.3d 602, 609+ , 6th Cir.(Ky.) EDUCATION - Civil Rights. Student lacked standing to bring as-applied preenforcement challenge for nominal damages based upon chill from school policy.	Apr. 09, 2008	Case	  	4 6 S.Ct.
Examined by	 147. Gregory v. City of Louisville  444 F.3d 725, 752+ , 6th Cir.(Ky.) CIVIL RIGHTS - Due Process. Former inmate did not waive his right to contest pre-trial show-up by signing preprinted waiver form.	Apr. 11, 2006	Case	  	5 6 S.Ct.
Examined by	 148. Berry v. City of Detroit  25 F.3d 1342, 1345+ , 6th Cir.(Mich.) Personal representative of estate of victim fatally shot by police officer brought § 1983 suit against officer and city. The United States District Court, Eastern District of...	June 17, 1994	Case	  	4 5 6 S.Ct.
Examined by	 149. Meyers v. City of Cincinnati  14 F.3d 1115, 1116+ , 6th Cir.(Ohio) City assistant fire chief brought action against city and city officers, alleging he was improperly forced to retire. The United States District Court for the Southern District...	Jan. 21, 1994	Case	  	4 5 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	<p> 150. Garner v. Memphis Police Dept. 8 F.3d 358, 360+, 6th Cir.(Tenn.)</p> <p>Father of unarmed burglary suspect killed by police officer attempting to apprehend him brought § 1983 action against officer, police department and its director, city, and mayor....</p>	Oct. 22, 1993	Case	 	4 5 6 S.Ct.
Examined by	<p> 151. Chonich v. Wayne County Community College 973 F.2d 1271, 1273+, 6th Cir.(Mich.)</p> <p>Former community college administrators brought action against college and secretary of board of trustees, claiming employment discrimination and defamation. The United States...</p>	June 09, 1992	Case	 	4 5 6 S.Ct.
Examined by	<p> 152. Williams by Williams v. Ellington 936 F.2d 881, 884+, 6th Cir.(Ky.)</p> <p>High school student sued school district, school principal, assistant principals, superintendent and individual board members under § 1983 seeking damages and injunctive relief...</p>	June 24, 1991	Case	 	4 5 6 S.Ct.
Examined by	<p> 153. Leach v. Shelby County Sheriff 891 F.2d 1241, 1243+, 6th Cir.(Tenn.)</p> <p>Paraplegic inmate filed suit against mayor and county sheriff, claiming deliberate indifference to his serious medical needs. The United States District Court for the Western...</p>	Dec. 20, 1989	Case	 	4 6 S.Ct.
Examined by	<p> 154. Pilarowski v. Macomb County Health Dept. 841 F.2d 1281, 1284+, 6th Cir.(Mich.)</p> <p>Former county employee brought action claiming he was discharged for exercising his First Amendment right to freedom of speech. Jury returned verdict in favor of employee, but...</p>	Mar. 15, 1988	Case	 	4 5 6 S.Ct.
Examined by	<p> 155. Molton v. City of Cleveland 839 F.2d 240, 244+, 6th Cir.(Ohio)</p> <p>Estate of pretrial detainee who committed suicide in cell after being beaten by police officers filed civil rights and pendent state claims against city. The United States...</p>	Feb. 01, 1988	Case	 	4 5 6 S.Ct.
Examined by	<p> 156. Thomas v. Shipka 818 F.2d 496, 499+, 6th Cir.(Ohio)</p> <p>Former employee of municipal court brought civil rights action against clerk of court. The United States District Court for the Northern District of Ohio, Sam H. Bell, J., sua...</p>	May 01, 1987	Case	 	2 5 6 S.Ct.
Examined by	<p> 157. South Macomb Disposal Authority v. Washington Tp. 790 F.2d 500, 502+, 6th Cir.(Mich.)</p> <p>Municipal corporation whose purpose was to dispose of solid waste generated by certain municipalities brought a civil rights suit against a township, alleging that the conditions...</p>	May 13, 1986	Case	 	1 2 4 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 158. Marchese v. Lucas 758 F.2d 181, 181+ , 6th Cir.(Mich.) Prisoner who was twice beaten severely while in custody and complete control of sheriff's officers brought § 1983 action against sheriff and county. The United States District...	Apr. 03, 1985	Case	  	3 4 6 S.Ct.
Examined by	 159. Leonard v. City of Frankfort Elec. and Water Plant Bd. 752 F.2d 189, 194+ , 6th Cir.(Ky.) An employment discrimination action was filed against municipal board under Title VII and the civil rights statute mandating equal rights under law. The United States District...	Jan. 09, 1985	Case	  	4 5 6 S.Ct.
Examined by	 160. Hays v. Jefferson County, Ky.  668 F.2d 869, 872+ , 6th Cir.(Ky.) Plaintiffs, who were beaten by individual police officers during busing demonstration, brought action against county and chief and deputy chief of county police department for...	Jan. 04, 1982	Case	  	4 5 6 S.Ct.
Examined by	161. Flores v. City of South Bend --- F.3d ----+ , 7th Cir.(Ind.) CIVIL RIGHTS — Due Process. Officer's alleged conduct in driving recklessly reflected deliberate indifference, as required for violation of substantive due process.	May 12, 2021	Case	  	5 S.Ct.
Examined by	162. First Midwest Bank Guardian of Estate of LaPorta v. City of Chicago  988 F.3d 978, 983+ , 7th Cir.(Ill.) GOVERNMENT — Municipalities. City had no due-process duty to protect individual from off-duty police officer's private violence, and therefore city was not subject to Monell...	Feb. 23, 2021	Case	  	2 5 6 S.Ct.
Examined by	163. Howell v. Wexford Health Sources, Inc. 987 F.3d 647, 652+ , 7th Cir.(Ill.) CIVIL RIGHTS — Prisons. Evidence was insufficient to support prisoner's § 1983 deliberate indifference claim based on delay in receiving anterior cruciate ligament repair surgery.	Feb. 05, 2021	Case	  	5 S.Ct.
Examined by	164. Fields v. City of Chicago 981 F.3d 534, 543+ , 7th Cir.(Ill.) CIVIL RIGHTS — Due Process. Discovery protective order prevented former prisoner from obtaining evidence of a municipal policy.	Nov. 20, 2020	Case	  	6 S.Ct.
Examined by	165. Calderone v. City of Chicago 979 F.3d 1156, 1161+ , 7th Cir.(Ill.) CIVIL RIGHTS — Immunity. City officials were entitled to qualified immunity for discharging employee after she shot someone in self-defense, in employee's Second Amendment...	Nov. 05, 2020	Case	  	2 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	166. Hildreth v. Butler 971 F.3d 645, 645+ , 7th Cir.(Ill.) On consideration of plaintiff-appellant's petition for rehearing and rehearing en banc, filed on June 16, 2020, a majority of the panel voted to deny rehearing. A judge in regular...	Aug. 19, 2020	Case	 	—
Examined by	 167. Hildreth v. Butler 960 F.3d 420, 425+ , 7th Cir.(Ill.) CIVIL RIGHTS — Prisons. State prison administrators satisfied their obligation under ADA to provide reasonable accommodations for inmate's Parkinson's disease.	May 19, 2020	Case	 	—
Examined by	 168. J.K.J. v. Polk County  960 F.3d 367, 371+ , 7th Cir.(Wis.) CIVIL RIGHTS — Municipal Liability. Evidence was sufficient to support county's § 1983 liability for male jail guard's sexual assault against female inmates.	May 15, 2020	Case	 	1 2 5 S.Ct.
Examined by	169. Barnes v. City of Centralia, Illinois  943 F.3d 826, 830+ , 7th Cir.(Ill.) CIVIL RIGHTS — Arrest and Detention. Officer did not act under color of state law when he complained about suspect's alleged threatening behavior.	Nov. 26, 2019	Case	 	5 6 S.Ct.
Examined by	170. Bradley v. Village of University Park, Illinois  929 F.3d 875, 879+ , 7th Cir.(Ill.) CIVIL RIGHTS — Due Process. State law violations and postdeprivation remedies do not preclude § 1983 liability for lack of predeprivation procedural due process.	July 16, 2019	Case	 	1 4 5 S.Ct.
Examined by	 171. J.K.J. v. Polk County 928 F.3d 576, 586+ , 7th Cir.(Wis.) CIVIL RIGHTS — Municipal Liability. County's failure to implement recommendations from PREA into jail's sexual assault policies did not show deliberate indifference to sexual...	June 26, 2019	Case	 	5 S.Ct.
Examined by	 172. Swanigan v. City of Chicago 881 F.3d 577, 580+ , 7th Cir.(Ill.) CIVIL RIGHTS — Arrest and Detention. Municipality was not liable to arrestee under Monell for the first three hours of his detention, before hold was issued.	Feb. 02, 2018	Case	 	6 S.Ct.
Examined by	 173. Estate of Perry v. Wenzel 872 F.3d 439, 445+ , 7th Cir.(Wis.) CIVIL RIGHTS — Prisons. Detainee was in county's custody for purposes of § 1983 medical claim arising from detainee's death at county jail.	Sep. 18, 2017	Case	 	5 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 174. Glisson v. Indiana Department of Corrections  849 F.3d 372, 378+ , 7th Cir.(Ind.) <p>CIVIL RIGHTS — Prisons. Private medical services provider's failure to provide coordinated care for chronically ill inmate could result in imposition of Monell liability.</p>	Feb. 21, 2017	Case	  	4 6 S.Ct.
Examined by	 175. Daniel v. Cook County 833 F.3d 728, 731+ , 7th Cir.(Ill.) <p>CIVIL RIGHTS — Prisons. Findings from DOJ investigation were admissible under hearsay exception for factual findings from a legally authorized investigation.</p>	Aug. 12, 2016	Case	  	6 S.Ct.
Examined by	 176. Novoselsky v. Brown 822 F.3d 342, 346+ , 7th Cir.(Ill.) <p>TORTS - Defamation. Communications by the Clerk of the Circuit Court of Cook County were all statements reasonably related to her official duties.</p>	May 10, 2016	Case	  	—
Examined by	 177. Glisson v. Indiana Dept. of Corrections  813 F.3d 662, 665+ , 7th Cir.(Ind.) <p>CIVIL RIGHTS - Prisons. Death of chronically ill prisoner was not result of prison's failure to offer constitutionally adequate medical care.</p>	Feb. 17, 2016	Case	  	4 5 S.Ct.
Examined by	 178. Rossi v. City of Chicago 790 F.3d 729, 732+ , 7th Cir.(Ill.) <p>CIVIL RIGHTS - Judicial Access. Police detective's alleged failure to investigate alleged assault did not deny plaintiff constitutional right to judicial access.</p>	June 22, 2015	Case	  	5 S.Ct.
Examined by	 179. Swanigan v. City of Chicago  775 F.3d 953, 955+ , 7th Cir.(Ill.) <p>CIVIL RIGHTS - Arrest and Detention. Arrestee could pursue Monell claims that sought additional equitable relief or were distinct from claims against officers.</p>	Jan. 09, 2015	Case	  	5 7 S.Ct.
Examined by	 180. Petty v. City of Chicago 754 F.3d 416, 418+ , 7th Cir.(Ill.) <p>CIVIL RIGHTS - Wrongful Prosecution. Officers did not violate suspect's due process rights by allegedly coercing witness into identifying suspect as assailant.</p>	June 09, 2014	Case	  	5 S.Ct.
Examined by	 181. Snyder v. King 745 F.3d 242, 244+ , 7th Cir.(Ind.) <p>GOVERNMENT - Elections. County elections officials were not subject to liability under § 1983 for their temporary disenfranchisement of voter.</p>	Mar. 11, 2014	Case	  	3 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 182. Johnson v. Cook County 526 Fed.Appx. 692, 693+ , 7th Cir.(Ill.) LABOR AND EMPLOYMENT - Public Employment. County could not be liable for employee's sexual assault of inmate under doctrine of respondeat superior.	May 15, 2013	Case	  	5 S.Ct.
Examined by	 183. Thayer v. Chiczewski 705 F.3d 237, 241+ , 7th Cir.(Ill.) CIVIL RIGHTS - Arrest and Detention. Police had arguable probable cause to arrest antiwar protestor.	Sep. 18, 2012	Case	  	—
Examined by	 184. McCauley v. City of Chicago 671 F.3d 611, 614+ , 7th Cir.(Ill.) CIVIL RIGHTS - Equal Protection. The administrator of decedent's estate failed to state Monell claim against City for equal protection violation.	Oct. 20, 2011	Case	  	—
Examined by	185. Sallenger v. City of Springfield, Ill. 630 F.3d 499, 501+ , 7th Cir.(Ill.) CIVIL RIGHTS - Arrest and Detention. Officers reasonably responded to arrestee's medical needs.	Dec. 17, 2010	Case	 	5 6 S.Ct.
Examined by	186. Carlson v. Bukovic 621 F.3d 610, 613+ , 7th Cir.(Ill.) CIVIL RIGHTS - Searches and Seizures. Question of whether city police officer seized store customer was for jury in §1983 action.	Sep. 02, 2010	Case	 	2 S.Ct.
Examined by	 187. Thomas v. Cook County Sheriff's Dept.  604 F.3d 293, 300+ , 7th Cir.(Ill.) CIVIL RIGHTS - Prisons. No link was shown between sheriff's understaffing of jail, detainee's death, precluding Monell liability in §1983 suit.	May 03, 2010	Case	  	4 5 6 S.Ct.
Examined by	 188. Thomas v. Cook County Sheriff's Dept.  588 F.3d 445, 451+ , 7th Cir.(Ill.) CIVIL RIGHTS - Prisons. No link was shown between sheriff's understaffing of jail, detainee's death, precluding Monell liability in §1983 suit.	Dec. 01, 2009	Case	  	4 5 6 S.Ct.
Examined by	 189. Valentino v. Village of South Chicago Heights 575 F.3d 664, 674+ , 7th Cir.(Ill.) LABOR AND EMPLOYMENT - Public Employment. Fact issue existed as to whether municipality's proffered reason for terminating employee was pretextual for retaliation.	July 30, 2009	Case	  	4 5 6 S.Ct.
Examined by	 190. Houskins v. Sheahan  549 F.3d 480, 488+ , 7th Cir.(Ill.) CIVIL RIGHTS - Free Speech. County employee's police report alleging assault by fellow employee did not support First Amendment retaliation claim.	Nov. 25, 2008	Case	  	4 5 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 191. Jenkins v. Bartlett 487 F.3d 482, 484+ , 7th Cir.(Wis.) CIVIL RIGHTS - Privileges. Presence of police liaison officer during interview with officer and his attorney did not defeat attorney-client privilege.	Apr. 23, 2007	Case	  	  5  6 S.Ct.
Examined by	 192. Smith v. Chicago School Reform Bd. of Trustees 165 F.3d 1142, 1148+ , 7th Cir.(Ill.) White teacher brought race discrimination and emotional distress claims against public school system. Following jury trial, the United States District Court for the Northern...	Jan. 21, 1999	Case	  	  4  6 S.Ct.
Examined by	 193. Woods v. City of Michigan City, Ind. 940 F.2d 275, 277+ , 7th Cir.(Ind.) Arrestee brought § 1983 suit against city, county and various police officers claiming unlawful detention. The United States District Court for the Northern District of Indiana,...	Aug. 15, 1991	Case	  	  2  4  6 S.Ct.
Examined by	 194. Surplus Store and Exchange, Inc. v. City of Delphi 928 F.2d 788, 790+ , 7th Cir.(Ind.) Pawn shop filed § 1983 action against city based on police officer's seizure of rings, which officer thought were stolen, and release of rings to their purported owner without...	Apr. 05, 1991	Case	  	  4  5  6 S.Ct.
Examined by	 195. Graham v. Sauk Prairie Police Com'n 915 F.2d 1085, 1099+ , 7th Cir.(Wis.) Widow of arrestee who was shot and killed by police officer brought civil rights action against the estate of the officer and against villages. The United States District Court...	Oct. 03, 1990	Case	  	  4  5  6 S.Ct.
Examined by	 196. Erwin v. County of Manitowoc 872 F.2d 1292, 1297+ , 7th Cir.(Wis.) Individuals whose residence had been searched brought civil rights action against deputies who conducted the search and against county. Jury awarded plaintiffs compensatory and...	Apr. 19, 1989	Case	  	  2  4  6 S.Ct.
Examined by	 197. Wilson v. Civil Town of Clayton, Ind. 839 F.2d 375, 380+ , 7th Cir.(Ind.) Business owner filed pro se § 1983 complaint against town, town trustees, county, county commissioners, town marshals, county deputy sheriffs, and bonding company to recover...	Feb. 03, 1988	Case	  	  4  5  6 S.Ct.
Examined by	 198. Shelby County Jail Inmates v. Westlake 798 F.2d 1085, 1093+ , 7th Cir.(Ind.) Inmates brought actions in their own right and as representatives of class of inmates in county jail regarding jail condition. The jury in the United States District Court for...	Aug. 20, 1986	Case	  	  3  4  6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 199. Jones v. City of Chicago  787 F.2d 200, 203+ , 7th Cir.(Ill.) <p>Two patients brought civil rights actions against city, alleging that city health clinic physician sexually assaulted them during course of gynecological examinations. The United...</p>	Apr. 04, 1986	Case	  	4 5 6 S.Ct.
Examined by	 200. Bell v. City of Milwaukee 746 F.2d 1205, 1269+ , 7th Cir.(Wis.) <p>Civil rights action was brought by black victim's siblings and on behalf of estate of victim and estate of victim's father to recover damages in connection with fatal shooting of...</p>	Sep. 04, 1984	Case	  	4 5 6 S.Ct.
Examined by	201. Watson v. Boyd 2 F.4th 1106, 1108+ , 8th Cir.(Mo.) <p>CIVIL RIGHTS — Immunity. District Court's denial of police officer's motion for summary judgment based on qualified immunity was improper, in suspect's § 1983 action.</p>	June 30, 2021	Case	  	—
Examined by	 202. Stockley v. Joyce  963 F.3d 809, 816+ , 8th Cir.(Mo.) <p>CIVIL RIGHTS — Due Process. Murder defendant did not state due process claim against police sergeant that signed allegedly faulty probable cause affidavit.</p>	June 29, 2020	Case	  	2 6 7 S.Ct.
Examined by	 203. Whitney v. City of St. Louis, Missouri 887 F.3d 857, 860+ , 8th Cir.(Mo.) <p>CIVIL RIGHTS - Prisons. Father of jail detainee who committed suicide did not sufficiently allege subjective indifference.</p>	Apr. 12, 2018	Case	  	2 5 S.Ct.
Examined by	 204. Malone v. Hinman 847 F.3d 949, 955+ , 8th Cir.(Ark.) <p>CIVIL RIGHTS — Immunity. Police officer was entitled to qualified immunity on shooting victim's excessive-force claim.</p>	Feb. 07, 2017	Case	  	2 S.Ct.
Examined by	 205. Atkinson v. City of Mountain View, Mo.  709 F.3d 1201, 1206+ , 8th Cir.(Mo.) <p>CIVIL RIGHTS - Searches and Seizures. City's police chief seized plaintiff, thus supporting § 1983 claim for excessive force in violation of Fourth Amendment.</p>	Feb. 08, 2013	Case	  	2 5 6 S.Ct.
Examined by	 206. Shannon v. Koehler  616 F.3d 855, 860+ , 8th Cir.(Iowa) <p>CIVIL RIGHTS - Excessive Force. Officer was not entitled to qualified immunity from arrestee's excessive force claim.</p>	Aug. 17, 2010	Case	  	4 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 207. Szabla v. City of Brooklyn Park, Minnesota  486 F.3d 385, 389+ , 8th Cir.(Minn.) CIVIL RIGHTS - Excessive Force. City's failure to train police to give warning before using canine to bite and hold suspect did not support § 1983 liability.	May 18, 2007	Case	  	4 5 6 S.Ct.
Examined by	 208. Kuha v. City of Minnetonka  365 F.3d 590, 603+ , 8th Cir.(Minn.) CIVIL RIGHTS - Arrest and Detention. Allowing police dog to continue biting suspect was not use of excessive force.	May 08, 2003	Case	  	4 5 6 S.Ct.
Examined by	 209. Tilson v. Forrest City Police Dept.  28 F.3d 802, 806+ , 8th Cir.(Ark.) Section 1983 action was filed against city police department, city chief of police, and two police officers alleging that officers arrested plaintiff without probable cause,...	July 05, 1994	Case	  	4 5 6 S.Ct.
Examined by	 210. Williams v. Butler  863 F.2d 1398, 1399+ , 8th Cir. Former court clerks filed § 1983 action against municipal judge in his official capacity, and judge brought third-party complaint against city for any damages awarded against him. ...	Dec. 21, 1988	Case	  	4 5 6 S.Ct.
Examined by	 211. Harris v. Missouri Court of Appeals, Western Dist.  787 F.2d 427, 429+ , 8th Cir.(Mo.) A civil rights suit under § 1983 was brought against, inter alia, Missouri Court of Appeals and individual judges. The United States District Court for the Western District of...	Mar. 28, 1986	Case	  	1 2 7 S.Ct.
Examined by	 212. Williams v. Butler  746 F.2d 431, 434+ , 8th Cir.(Ark.) Two former court clerks filed 1983 action against municipal judge in his official capacity. One of the clerks alleged that judge unconstitutionally fired her after he became...	Oct. 15, 1984	Case	  	4 5 6 S.Ct.
Examined by	 213. Owen v. City of Independence, Mo.  589 F.2d 335, 336+ , 8th Cir.(Mo.) Discharged city police chief brought action against city, city manager, mayor, and councilmen to recover for alleged denial of due process. The United States District Court for the...	Dec. 01, 1978	Case	  	4 6 7 S.Ct.
Examined by	214. Gordon v. County of Orange --- F.4th ----+ , 9th Cir.(Cal.) CIVIL RIGHTS — Immunity. County jail nurse was not entitled to qualified immunity, in § 1983 due process claim for inadequate medical care brought by mother of detainee who died in...	July 26, 2021	Case	  	6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	215. Garza v. City of Los Angeles --- Fed.Appx. ----+ , 9th Cir.(Cal.) Off-duty Los Angeles Police Officer Mario Cardona assaulted Plaintiff-Appellant Daniel Garza, who was dating Cardona's stepdaughter. After a jury returned a \$210,000 verdict...	July 26, 2021	Case	 	—
Examined by	216. Vargas v. City of Los Angeles --- Fed.Appx. ----+ , 9th Cir.(Cal.) Appellant Luis Lorenzo Vargas appeals five district court rulings pertaining to his claims raised under 42 U.S.C. § 1983: (1) the court's dismissal of his claim alleging that the...	May 20, 2021	Case	 	—
Examined by	217. Benavidez v. County of San Diego  993 F.3d 1134, 1140+ , 9th Cir.(Cal.) CIVIL RIGHTS — Immunity. Social workers were not qualifiedly immune from liability under civil rights statute for their judicial deception.	Apr. 12, 2021	Case	 	5 6 S.Ct.
Examined by	218. Gonzales v. Lake Havasu City  836 Fed.Appx. 554, 555+ , 9th Cir.(Ariz.) CIVIL RIGHTS — Municipal Liability. City prosecutor was not final policymaker for purposes of Monell liability.	Dec. 11, 2020	Case	 	5 7 S.Ct.
Examined by	219. Hardwick v. County of Orange  980 F.3d 733, 739+ , 9th Cir.(Cal.) LITIGATION — Judgment. Issues in state and federal actions did not possess requisite identity, for issue preclusion purposes.	Nov. 18, 2020	Case	 	7 S.Ct.
Examined by	220. Lockett v. County of Los Angeles 977 F.3d 737, 739+ , 9th Cir.(Cal.) CIVIL RIGHTS — Municipal Liability. Limitations period for arrestee's § 1983 claims against county was tolled, by operation of California tolling statute.	Oct. 02, 2020	Case	 	5 6 S.Ct.
Examined by	 221. Hyun Ju Park v. City and County of Honolulu 952 F.3d 1136, 1139+ , 9th Cir.(Hawai'i) CIVIL RIGHTS — Municipal Liability. Facial deficiencies of police department policy regarding off-duty carry of service weapons were not obvious.	Mar. 13, 2020	Case	 	5 S.Ct.
Examined by	 222. Capp v. County of San Diego 940 F.3d 1046, 1050+ , 9th Cir.(Cal.) CIVIL RIGHTS — Immunity. Social worker who allegedly coerced mother to file ex parte custody application was not entitled to qualified immunity in father's § 1983 action.	Oct. 04, 2019	Case	 	2 S.Ct.
Examined by	 223. Horton by Horton v. City of Santa Maria 915 F.3d 592, 598+ , 9th Cir.(Cal.) CIVIL RIGHTS — Arrest and Detention. Police officer was entitled to qualified immunity against deliberate-indifference claim arising from pretrial detainee's suicide attempt.	Feb. 01, 2019	Case	 	5 7 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 224. Rodriguez v. County of Los Angeles  891 F.3d 776, 789+ , 9th Cir.(Cal.) CIVIL RIGHTS — Excessive Force. Jail inmates fearing retaliation did not under Prison Litigation Reform Act have to exhaust administrative remedies to file excessive force action.	May 30, 2018	Case	  	3 4 S.Ct.
Examined by	 225. Lowry v. City of San Diego  858 F.3d 1248, 1253+ , 9th Cir.(Cal.) CIVIL RIGHTS — Excessive Force. Police officer's act of releasing police dog into office where burglary was suspected did not violate plaintiff's Fourth Amendment rights.	June 06, 2017	Case	 	6 S.Ct.
Examined by	226. Mendiola-Martinez v. Arpaio  836 F.3d 1239, 1246+ , 9th Cir.(Ariz.) CIVIL RIGHTS — Prisons. Summary judgment was not warranted on inmate's claim that her restraint during labor and postpartum recovery violated Eighth Amendment.	Sep. 12, 2016	Case	  	2 5 7 S.Ct.
Examined by	 227. Castro v. County of Los Angeles  833 F.3d 1060, 1073+ , 9th Cir.(Cal.) CIVIL RIGHTS — Municipal Liability. County was deliberately deferent to substantial risk of serious harm posed by their sobering cell monitoring custom or policy.	Aug. 15, 2016	Case	 	5 S.Ct.
Examined by	228. Puente Arizona v. Arpaio  821 F.3d 1098, 1101+ , 9th Cir.(Ariz.) IMMIGRATION - Employment. Arizona's employment-related identity theft statutes were not facially preempted by federal immigration law.	May 02, 2016	Case	 	6 S.Ct.
Examined by	 229. Lowry v. City of San Diego  818 F.3d 840, 846+ , 9th Cir.(Cal.) CIVIL RIGHTS - Excessive Force. Officers' conduct in releasing dog off lead while responding to suspected burglary weighed in favor of finding excessive force.	Apr. 01, 2016	Case	 	5 6 S.Ct.
Examined by	 230. Castro v. County of Los Angeles  797 F.3d 654, 670+ , 9th Cir.(Cal.) CIVIL RIGHTS - Municipal Liability. Design of jail by municipality is result of series of deliberate choices that render design a formal municipal policy for purposes of municipal...	Aug. 11, 2015	Case	  	2 5 S.Ct.
Examined by	 231. Velazquez v. City of Long Beach  793 F.3d 1010, 1013+ , 9th Cir.(Cal.) CIVIL RIGHTS - Arrest and Detention. Issue of whether police officer had probable cause to arrest suspect was for jury in suspect's § 1983 unlawful arrest suit.	July 15, 2015	Case	  	5 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 232. Green v. City and County of San Francisco  751 F.3d 1039, 1044+ , 9th Cir.(Cal.) CIVIL RIGHTS - Arrest and Detention. Genuine issue of material fact existed as to whether police officer had reasonable suspicion to stop vehicle.	May 12, 2014	Case	  	4 S.Ct.
Examined by	 233. Ellins v. City of Sierra Madre  710 F.3d 1049, 1054+ , 9th Cir.(Cal.) CIVIL RIGHTS - Free Speech. City's police officer was not entitled to qualified immunity in officer's First Amendment retaliation claim under § 1983.	Mar. 22, 2013	Case	  	—
Examined by	 234. Tsao v. Desert Palace, Inc.  698 F.3d 1128, 1138+ , 9th Cir.(Nev.) CIVIL RIGHTS - Arrest and Detention. Casino owner was not liable under § 1983 for the arrest of a professional gambler.	Oct. 23, 2012	Case	  	2 5 6 S.Ct.
Examined by	 235. Dougherty v. City of Covina  654 F.3d 892, 897+ , 9th Cir.(Cal.) CIVIL RIGHTS - Searches and Seizures. Police officer's experience that child molesters possessed child pornography did not provide probable cause for warrant.	Aug. 16, 2011	Case	  	4 6 S.Ct.
Examined by	236. Association for Los Angeles Deputy Sheriffs v. County of Los Angeles  648 F.3d 986, 992+ , 9th Cir.(Cal.) LABOR AND EMPLOYMENT - Public Employment. Deputy sheriffs who were suspended as result of felony allegations were entitled to postsuspension hearings of some sort.	Aug. 12, 2011	Case	  	5 S.Ct.
Examined by	 237. Hunter v. County of Sacramento  652 F.3d 1225, 1227+ , 9th Cir.(Cal.) CIVIL RIGHTS - Prisons. Court's refusal to give jail inmates' proposed instructions was error warranting new trial in § 1983 action against county.	July 26, 2011	Case	  	4 5 S.Ct.
Examined by	 238. Delia v. City of Rialto  621 F.3d 1069, 1071+ , 9th Cir.(Cal.) CIVIL RIGHTS - Searches and Seizures. Firefighter's production of rolls of insulation during internal affairs investigation was not voluntary.	Sep. 09, 2010	Case	  	4 5 6 S.Ct.
Examined by	 239. Crowe v. County of San Diego  608 F.3d 406, 445+ , 9th Cir.(Cal.) CRIMINAL JUSTICE - Confessions. Interrogations of juvenile suspects in murder case violated their due process rights.	June 18, 2010	Case	  	4 5 6 S.Ct.
Examined by	 240. Edgerly v. City and County of San Francisco  599 F.3d 946, 951+ , 9th Cir.(Cal.) CIVIL RIGHTS - Arrest and Detention. Probable cause existed to place housing cooperative non-resident under arrest for trespass.	Mar. 19, 2010	Case	  	4 5 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 241. Crowe v. County of San Diego  593 F.3d 841, 880+, 9th Cir.(Cal.) CRIMINAL JUSTICE - Confessions. Interrogations of juvenile suspects in murder case violated their due process rights.	Jan. 27, 2010	Case	  	   S.Ct.
Examined by	 242. Villegas v. Gilroy Garlic Festival Ass'n  541 F.3d 950, 957+, 9th Cir.(Cal.) CIVIL RIGHTS - Free Speech. Garlic festival association's expulsion of motorcycle club members from festival in city park was not state action.	Sep. 03, 2008	Case	  	  S.Ct.
Examined by	 243. Price v. Sery  513 F.3d 962, 964+, 9th Cir.(Or.) CIVIL RIGHTS - Excessive Force. City's policy permitting use of lethal force on "reasonable belief" of threat of death or serious harm was constitutional.	Jan. 22, 2008	Case	  	  S.Ct.
Examined by	 244. Edgerly v. City and County of San Francisco 495 F.3d 645, 649+, 9th Cir.(Cal.) CIVIL RIGHTS - Arrest and Detention. Police supervisor was not liable for illegal arrest and strip search of trespasser.	July 17, 2007	Case	  	   S.Ct.
Examined by	 245. Santos ex rel. Santos v. City of Culver City  228 Fed.Appx. 655, 659+, 9th Cir.(Cal.) CIVIL RIGHTS - Municipal Liability. City's policy was not moving force behind constitutional violation, for purposes of municipal liability claim.	Mar. 29, 2007	Case	  	  S.Ct.
Examined by	 246. Galen v. County of Los Angeles 477 F.3d 652, 657+, 9th Cir.(Cal.) CIVIL RIGHTS - Immunity. Sheriff's deputy who requested bail enhancement was entitled to qualified immunity in § 1983 excessive bail claim.	Jan. 19, 2007	Case	 	  S.Ct.
Examined by	 247. Galen v. County of Los Angeles 468 F.3d 563, 567+, 9th Cir.(Cal.) CIVIL RIGHTS - Immunity. Sheriff's deputy who requested bail enhancement was entitled to qualified immunity in § 1983 excessive bail claim.	Nov. 07, 2006	Case	 	  S.Ct.
Examined by	 248. Boyd v. Benton County  374 F.3d 773, 776+, 9th Cir.(Or.) CIVIL RIGHTS - Excessive Force. Deployment of flash-bang by police officers was "excessive use of force."	June 28, 2004	Case	  	 S.Ct.
Examined by	 249. Brass v. County of Los Angeles  328 F.3d 1192, 1195+, 9th Cir.(Cal.) CIVIL RIGHTS - Prisons. County's 39-hour delay in releasing arrestee from jail did not violate his constitutional rights.	May 15, 2003	Case	  	   S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 250. Fairley v. Luman  281 F.3d 913, 915+ , 9th Cir.(Cal.) CIVIL RIGHTS - Municipal Liability. City's warrant procedures constituted official "policy" for purpose of arrestee's § 1983 claim.	Feb. 15, 2002	Case	  	4 5 6 S.Ct.
Examined by	 251. Miranda v. Clark County, Nevada  279 F.3d 1102, 1106+ , 9th Cir.(Nev.) CIVIL RIGHTS - Municipal Liability. Neither county nor public defender were liable for ineffective assistance to indigent defendant.	Feb. 08, 2002	Case	  	4 6 S.Ct.
Examined by	 252. Hopper v. City of Pasco  241 F.3d 1067, 1073+ , 9th Cir.(Wash.) CIVIL RIGHTS - Free Speech. "No controversy" policy did not prevent city hall from becoming designated public forum.	Feb. 15, 2001	Case	  	4 5 6 S.Ct.
Examined by	 253. Ruvalcaba v. City of Los Angeles 167 F.3d 514, 518+ , 9th Cir.(Cal.) Arrestee brought § 1983 action against city, police chief, police officer, and treating physician at jail dispensary, alleging excessive force during his arrest and that physician...	Feb. 05, 1999	Case	  	5 6 7 S.Ct.
Examined by	 254. Henry v. County of Shasta  132 F.3d 512, 517+ , 9th Cir.(Cal.) Motorist who was jailed following traffic stop brought § 1983 action against state, county, sheriff, highway patrol officers, and unnamed jail personnel, alleging various...	Dec. 23, 1997	Case	  	4 6 S.Ct.
Examined by	 255. Federation of African American Contractors v. City of Oakland  96 F.3d 1204, 1205+ , 9th Cir.(Cal.) Minority-owned construction firm brought § 1981 and § 1983 suit against county, alleging violations of county bidding processes. The United States District Court for the Northern...	Sep. 19, 1996	Case	  	4 5 6 S.Ct.
Examined by	 256. Quintanilla v. City of Downey 84 F.3d 353, 354+ , 9th Cir.(Cal.) Arrestee filed § 1983 action asserting that use of police dog during search and arrest violated his Fourth Amendment rights. The United States District Court for the Central...	May 22, 1996	Case	  	6 S.Ct.
Examined by	257. Gilliam v. County of Los Angeles 37 F.3d 1505, 1505+ , 9th Cir.(Cal.) C.D.Cal. AFFIRMED.	Oct. 06, 1994	Case	  	2 6 7 S.Ct.
Examined by	 258. Chew v. Gates 27 F.3d 1432, 1436+ , 9th Cir.(Cal.) Arrestee brought § 1983 action against city, police chief, police officers who trained canine unit, and supervisor of canine unit alleging that release of police dog which...	June 27, 1994	Case	  	4 5 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 259. Redman v. County of San Diego  942 F.2d 1435, 1444+, 9th Cir.(Cal.) <p>Pretrial detainee sued county and county jail personnel under § 1983 after he was placed in holding cell with homosexual resulting in his rape. The United States District Court...</p>	Aug. 26, 1991	Case	  	  S.Ct.
Examined by	 260. Thompson v. City of Los Angeles  885 F.2d 1439, 1443+, 9th Cir.(Cal.) <p>Arrestee brought civil rights action against Board of Regents of the University of California whose police officer had arrested him for grand theft auto, and county in whose jail...</p>	Sep. 18, 1989	Case	  	   S.Ct.
Examined by	 261. Ngiraingas v. Sanchez  849 F.2d 372, 374+, 9th Cir.(Guam) <p>Arrestees brought § 1983 civil rights action against Government of Guam, Guam Police Department, Director of Public Safety, and several Guam police officers acting in their...</p>	June 07, 1988	Case	  	   S.Ct.
Examined by	 262. Ngiraingas v. Sanchez  858 F.2d 1368, 1370+, 9th Cir.(Guam) <p>Arrestees brought § 1983 action against Guam, Guam police department, Director of Department of Public Safety, and Guam police officers to recover for constitutional violations in...</p>	June 07, 1988	Case	  	   S.Ct.
Examined by	 263. Collins v. City of San Diego  841 F.2d 337, 340+, 9th Cir.(Cal.) <p>Discharged female police officer brought sex discrimination suit against city under Title VII and § 1983. The United States District Court for the Southern District of...</p>	Mar. 10, 1988	Case	  	   S.Ct.
Examined by	 264. Tosti v. City of Los Angeles  754 F.2d 1485, 1486+, 9th Cir.(Cal.) <p>Plaintiff brought action against city alleging that city discriminated against her because of her sex by its failure to hire her as a policewoman. The United States District...</p>	Mar. 04, 1985	Case	  	   S.Ct.
Examined by	 265. McKinley v. City of Eloy  705 F.2d 1110, 1116+, 9th Cir.(Ariz.) <p>Probationary police officer brought action against city alleging that he was discharged in violation of his First Amendment rights for publicly criticizing city's decision not to...</p>	May 09, 1983	Case	  	   S.Ct.
Examined by	 266. Molina v. Richardson  578 F.2d 846, 847+, 9th Cir.(Cal.) <p>A civil rights action was instituted against the city of Los Angeles and two Los Angeles policemen. The United States District Court for the Central District of California,...</p>	July 21, 1978	Case	  	   S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	267. Quintana v. Santa Fe County Board of Commissioners 973 F.3d 1022, 1027+ , 10th Cir.(N.M.) CIVIL RIGHTS — Prisons. Complaint alleged sufficient facts to establish that one officer consciously disregarded pretrial detainee's severe opioid withdrawal.	Aug. 28, 2020	Case	 	 4 S.Ct.
Examined by	268. Hinkle v. Beckham County Board of County Commissioners 962 F.3d 1204, 1226+ , 10th Cir.(Okla.) CIVIL RIGHTS — Arrest and Detention. Pre-trial detainee's body-cavity strip search following his arrival at county jail was unreasonable under the Fourth Amendment.	June 22, 2020	Case	 	 5  6 S.Ct.
Examined by	 269. Harte v. Board of Commissioners of County of Johnson, Kansas 864 F.3d 1154, 1158+ , 10th Cir.(Kan.) CIVIL RIGHTS — Searches and Seizures. Force used to execute warrant to search home for marijuana growing operation did not violate clearly established law.	July 25, 2017	Case	 	 5 S.Ct.
Examined by	 270. Dodds v. Richardson 614 F.3d 1185, 1195+ , 10th Cir.(Okla.) CIVIL RIGHTS - Immunity. Fact issues precluded summary judgment as to county sheriff's qualified immunity from arrestee's civil rights action.	Aug. 06, 2010	Case	 	 4  5  6 S.Ct.
Examined by	271. U.S. v. Doe 572 F.3d 1162, 1180+ , 10th Cir.(Colo.) NATIVE AMERICANS - Crimes. Granting motion to reopen arson cases to present evidence on identity of building's owner was not abuse of discretion.	July 20, 2009	Case	 	 2  6 S.Ct.
Examined by	272. Milligan-Hitt v. Board of Trustees of Sheridan County School Dist. No. 2 523 F.3d 1219, 1223+ , 10th Cir.(Wyo.) EDUCATION - Labor and Employment. School district's superintendent was not the final policymaker for hiring decisions.	Apr. 22, 2008	Case	 	 4  5  6 S.Ct.
Examined by	 273. Lippoldt v. Cole 468 F.3d 1204, 1212+ , 10th Cir.(Kan.) CIVIL RIGHTS - Parties. Unincorporated association is not a person within the meaning of § 1983.	Nov. 07, 2006	Case	 	 1  2  6 S.Ct.
Examined by	 274. Bolden v. City of Topeka, Kan. 441 F.3d 1129, 1135+ , 10th Cir.(Kan.) CIVIL RIGHTS - Jurisdiction. Rooker–Feldman doctrine did not preclude property owner from bringing suit against city in federal district court.	Mar. 21, 2006	Case	 	 5  6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	275. Smedley v. Corrections Corp. of America  175 Fed.Appx. 943, 944+ , 10th Cir.(Okla.) CIVIL RIGHTS - Arrest and Detention. Private jail operator could not be held vicariously liable under § 1983 for agents' unauthorized acts.	Dec. 20, 2005	Case	  	5 6 S.Ct.
Examined by	 276. Starrett v. Wadley  876 F.2d 808, 813+ , 10th Cir.(Okla.) Discharged female county employee brought sexual harassment and retaliatory firing suit against her male supervisor and the county. The United States District Court for the...	May 22, 1989	Case	  	4 5 6 S.Ct.
Examined by	 277. Brown v. Reardon  770 F.2d 896, 900+ , 10th Cir.(Kan.) Former city employees brought civil rights action following their termination, alleging that their dismissal was based upon their refusal to contribute to political fund. The...	Aug. 19, 1985	Case	  	4 5 6 S.Ct.
Examined by	 278. Bertot v. School Dist. No. 1, Albany County, Wyo.  613 F.2d 245, 247+ , 10th Cir.(Wyo.) Public school teacher brought civil rights action against school district and school officials alleging that nonrenewal of her contract was in retaliation of her exercise of First...	Nov. 26, 1979	Case	  	2 6 7 S.Ct.
Examined by	 279. Swain v. Junior 958 F.3d 1081, 1091+ , 11th Cir.(Fla.) CIVIL RIGHTS — Municipal Liability. Basis for municipal liability under § 1983 had to be shown at preliminary injunction stage.	May 05, 2020	Case	  	5 S.Ct.
Examined by	280. Barnett v. MacArthur  956 F.3d 1291, 1293+ , 11th Cir.(Fla.) CIVIL RIGHTS — Arrest and Detention. If officer obtains information showing that DUI arrestee was not intoxicated, Fourth Amendment required arrestee's release.	Apr. 15, 2020	Case	  	2 5 7 S.Ct.
Examined by	281. Saunders v. Sheriff of Brevard County 735 Fed.Appx. 559, 562+ , 11th Cir.(Fla.) CIVIL RIGHTS — Prisons. Overcrowding in jail's acute mental health housing unit did not violate inmate's clearly established constitutional rights.	May 17, 2018	Case	  	—
Examined by	 282. Simmons v. Bradshaw  879 F.3d 1157, 1160+ , 11th Cir.(Fla.) CIVIL RIGHTS — Immunity. Jury instruction in § 1983 excessive force improperly delegated resolution of issue of qualified immunity to jury.	Jan. 10, 2018	Case	  	6 S.Ct.
Examined by	283. Marantes v. Miami-Dade County 649 Fed.Appx. 665, 668+ , 11th Cir.(Fla.) CIVIL RIGHTS - Excessive Force. County police officers did not have time to intervene in other officer's alleged use of excessive force.	Apr. 28, 2016	Case	  	6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	284. Adcock v. Baca 157 Fed.Appx. 118, 119+, 11th Cir.(Fla.) CIVIL RIGHTS - Arrest and Detention. Sheriff was not liable under respondeat superior theory for alleged illegal arrest by deputies.	Nov. 17, 2005	Case	██████████	5 6 S.Ct.
Examined by	 285. Grech v. Clayton County, Ga. jj 335 F.3d 1326, 1329+, 11th Cir.(Ga.) CIVIL RIGHTS - Arrest and Detention. County sheriff was not county policymaker for his law enforcement conduct.	July 07, 2003	Case	██████████	4 5 6 S.Ct.
Examined by	286. Brown v. Neumann 188 F.3d 1289, 1290+, 11th Cir.(Fla.) Arrestees brought § 1983 action against sheriff, in his official capacity, for injuries arising out of allegedly unjustified arrests. The United States District Court for the...	Sep. 14, 1999	Case	██████████	4 6 S.Ct.
Examined by	 287. Morro v. City of Birmingham jj 117 F.3d 508, 512+, 11th Cir.(Ala.) Police officer brought § 1983 suit against city as result of his suspension, subsequently rescinded, for being unprepared for court. After jury returned verdict for officer, the...	July 21, 1997	Case	██████████	2 4 6 S.Ct.
Examined by	 288. Buckner v. Toro jj 116 F.3d 450, 451+, 11th Cir.(Ga.) Arrestee brought § 1983 action against county and private health care provider, alleging that defendants were deliberately indifferent to arrestee's psychiatric needs. The United...	July 01, 1997	Case	██████████	4 5 6 S.Ct.
Examined by	 289. Busby v. City of Orlando jj 931 F.2d 764, 771+, 11th Cir.(Fla.) Discharged black employee of city police department brought civil rights action against city and mayor, police captain, police lieutenant and chief of police. The United States...	May 17, 1991	Case	██████████	4 5 6 S.Ct.
Examined by	 290. Jones v. Preuit & Mauldin jj 851 F.2d 1321, 1330+, 11th Cir.(Ala.) Action was brought under § 1983 for wrongful attachment. The United States District Court for the Northern District of Alabama, 586 F.Supp. 1563, dismissed and appeal was taken....	Aug. 10, 1988	Case	██████████	4 5 6 S.Ct.
Examined by	291. Mullins v. City of Huntsville, Ala. 785 F.2d 1529, 1529+, 11th Cir.(Ala.) Municipal police officer brought action against city challenging certain actions taken by city against him in his capacity as municipal police officer. The United States District...	Apr. 07, 1986	Case	██████████	4 6 S.Ct.
Examined by	 292. Gilmore v. City of Atlanta, Ga. jj 774 F.2d 1495, 1502+, 11th Cir.(Ga.) Sister of decedent shot and killed by police brought § 1983 action against police, their supervisors and city. The United States District Court for the Northern District of...	Oct. 15, 1985	Case	██████████	4 5 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 293. Gilmere v. City of Atlanta, Ga.  737 F.2d 894, 897+, 11th Cir.(Ga.) Administratrix of arrestee killed by police during arrest brought survival action seeking damages under § 1983 and state tort law against city, officials of city's police...	July 09, 1984	Case	  	4 5 6 S.Ct.
Examined by	294. Thompson v. District of Columbia 967 F.3d 804, 810+, D.C.Cir. LABOR AND EMPLOYMENT — Public Employment. District was subject to Monell liability for Lottery Board employee's constructive termination without notice.	July 31, 2020	Case	 	5 6 S.Ct.
Examined by	 295. Parker v. District of Columbia  850 F.2d 708, 711+, D.C.Cir. Individual brought § 1983 action against District of Columbia for injuries he sustained when police officers attempted to effect extrajurisdictional arrest and to disarm him. The...	June 17, 1988	Case	 	4 5 6 S.Ct.
Examined by	 296. Haynesworth v. Miller  820 F.2d 1245, 1271+, D.C.Cir. Arrestees brought Bivens action against District of Columbia, police chiefs, prosecutor, and officers based on alleged retaliatory prosecution. The United States District Court...	May 29, 1987	Case	  	4 5 6 S.Ct.
Examined by	 297. Tarpley v. Greene  684 F.2d 1, 4+, D.C.Cir. Plaintiff brought civil rights action against local governments, the chiefs of police and individual police officers based on several incidents during a criminal investigation in...	July 02, 1982	Case	  	4 5 6 S.Ct.
Examined by	298. Carter v. City of Montgomery  473 F.Supp.3d 1273, 1298+, M.D.Ala. CIVIL RIGHTS — Due Process. Issue of fact existed whether city knew and was deliberately indifferent to company requesting probation revocation despite no willful failure to pay...	July 17, 2020	Case	 	5 6 7 S.Ct.
Examined by	299. Johnson v. City of Homewood  2018 WL 497077, *4+, N.D.Ala. This case is before the court on: (1) the Motion to Dismiss Plaintiff's First Amended Complaint filed by Defendants City of Homewood, Doug Finch, and Ted Springfield (Doc. # 46),...	Jan. 22, 2018	Case	 	5 S.Ct.
Examined by	300. Patel v. City of Madison, Alabama  2017 WL 432465, *2+, N.D.Ala. Plaintiff Sureshbhai Patel's ("Mr. Patel") initiated this civil rights action on February 12, 2015 (Doc. 1) and most recently amended his complaint on October 3, 2016. (Doc. 58)....	Feb. 01, 2017	Case	 	6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	301. Pressley v. City of Anniston and Daryl Abernathy 2016 WL 4679135, *12+, N.D.Ala. Plaintiff Jennifer Pressley ("Ms. Pressley") brings this job discrimination, sexual harassment, and retaliation lawsuit against Defendants City of Anniston (the "City") and Daryl...	Sep. 07, 2016	Case	█ █ █	—
Examined by	 302. Morris v. Town of Lexington 915 F.Supp.2d 1246, 1254+, N.D.Ala. CIVIL RIGHTS - Municipal Liability. Police did not have a reasonable suspicion of criminal activity that would justify warrantless entry into citizen's home.	Jan. 04, 2013	Case	█ █ █	2 3 5 S.Ct.
Examined by	303. McElroy v. City of Birmingham, Ala. 903 F.Supp.2d 1228, 1248+, N.D.Ala. CIVIL RIGHTS - Municipal Liability. The city was not liable under § 1983 based on a policy dealing with police officer shootings.	Sep. 28, 2012	Case	█ █ █	4 5 S.Ct.
Examined by	 304. Camp v. Correctional Medical Services, Inc 668 F.Supp.2d 1338, 1350+, M.D.Ala. LABOR AND EMPLOYMENT - Public Employment. Fact issue precluded summary judgment on job applicant's First Amendment retaliation claim against state department of corrections...	Oct. 22, 2009	Case	█ █ █	4 5 6 S.Ct.
Examined by	305. Wilson v. Tillman 2008 WL 2704769, *2+, S.D.Ala. After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Report and Recommendation of the...	July 07, 2008	Case	█ █ █	4 5 6 S.Ct.
Examined by	306. Wilkerson v. City of Birmingham 2006 WL 8448148, *10+, N.D.Ala. The above-entitled civil action is before the court on the motion for summary judgment filed by defendants, the City of Birmingham and Timothy Scott Zimmerman. (Doc. #23, Motion...	Dec. 20, 2006	Case	█ █ █	4 S.Ct.
Examined by	307. White v. Nichols 2005 WL 8158692, *5+, N.D.Ala. The court has before it Defendants' Motion for Summary Judgment (Doc. # 49) and Defendants' Motion to Strike (Doc. # 63). The above-referenced motions have been fully briefed and...	Aug. 12, 2005	Case	█ █ █	3 S.Ct.
Examined by	308. Shows v. Morgan 40 F.Supp.2d 1345, 1360+, M.D.Ala. Rejected candidate for position of police chief sued town, mayor, and police officer, alleging that failure to appoint him to position, and his eventual removal from interim...	Mar. 17, 1999	Case	█ █ █	4 5 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	309. Richardson v. City of Leeds, Ala. 990 F.Supp. 1331, 1333+, N.D.Ala. Black former police officer brought action against city alleging racial discrimination in violation of §§ 1981 and 1983 and violation of Title VII. City moved for judgment as a...	May 13, 1997	Case	■■■■■	4 5 6 S.Ct.
Examined by	 310. Morro v. City of Birmingham 926 F.Supp. 1033, 1034+, N.D.Ala. After police officer was disciplined, purportedly for being unprepared to testify at trial, officer brought § 1983 action against city and police chief, alleging that he was...	Apr. 12, 1996	Case	■■■■■	2 6 S.Ct.
Examined by	 311. Weeks v. Benton ■■■■■ 649 F.Supp. 1297, 1299+, S.D.Ala. Administratrix of deceased county jail inmate sued county commissioners and others alleging violations of inmate's civil rights. The District Court, Hand, Chief Judge, on motion...	Dec. 12, 1986	Case	■■■■■	4 5 6 S.Ct.
Examined by	312. Houston by Houston v. City of Athens, Ala. ■■■■■ 652 F.Supp. 868, 873+, N.D.Ala. Proceeding was instituted on motion of municipality to dismiss civil rights complaint based upon doctrine of respondeat superior arising from alleged unconstitutional actions of...	Dec. 05, 1986	Case	■■■■■	4 5 6 S.Ct.
Examined by	313. Fomby v. City of Calera ■■■■■ 575 F.Supp. 221, 224+, N.D.Ala. Plaintiff brought § 1983 action against city, alleging that city had policy and practice of permitting and encouraging its police officers to violate civil rights of citizens,...	Nov. 23, 1983	Case	■■■■■	4 5 6 S.Ct.
Examined by	314. Melton v. Maricopa County ■■■■■ 2021 WL 3270322, *3+, D.Ariz. In May 2019, Pedro Colazo-Villa ("the Decedent") was fatally shot by deputies of the Maricopa County Sheriff's Office ("MCSO"). In this action, the Decedent's wife, Kayla Melton,...	July 30, 2021	Case	■■■■■	4 S.Ct.
Examined by	 315. Carolin Isabelle Hauser, Plaintiffs, v. Elijah M. Smith, et al., Defendants. 2021 WL 2262551, *1+, D.Ariz. Plaintiff Carolin Isabelle Hauser brought this pro se civil rights action under 42 U.S.C. § 1983, various federal criminal statutes, and state law against State Attorney General...	June 03, 2021	Case	■■■■■	2 S.Ct.
Examined by	 316. Stuart v. City of Scottsdale ■■■■■ 2021 WL 977166, *2+, D.Ariz. Pending before the Court is Defendants' Renewed Motion to Dismiss the First Amended Complaint (Doc. 158). Following this Court's September 27, 2018, Order (Doc. 124) on Defendants'...	Mar. 16, 2021	Case	■■■■■	6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	317. Hernandez v. City of Phoenix 2021 WL 100857, *2+, D.Ariz. Pending before the Court is Defendants City of Phoenix ("City") and Trevin Janser's ("Janser") (collectively, "Defendants") Partial Motion to Dismiss Plaintiffs' Amended Complaint....	Jan. 12, 2021	Case		6 S.Ct.
Examined by	318. Altamirano v. City of Tucson 2020 WL 6827740, *1+, D.Ariz. A two-week trial in the above-captioned matter is scheduled to begin on January 12, 2021. Currently pending before the Court are five Motions in Limine filed by Defendant City of...	Nov. 20, 2020	Case		5 S.Ct.
Examined by	319. Atwood v. Days 2020 WL 5440051, *2+, D.Ariz. Plaintiff Frank Jarvis Atwood, who is confined in the Arizona State Prison Complex-Eyman, filed a pro se civil rights Complaint pursuant to 42 U.S.C. § 1983 (Doc. 1), a motion for...	Sep. 09, 2020	Case		—
Examined by	320. Lucero-Gonzalez v. Kline 2020 WL 8258201, *2+, D.Ariz. This matter is before the Court on Plaintiffs' Motion for Accelerated and Expedited Discovery (Doc. 49). Upon request of Plaintiffs, and opposed by Defendants, the Court ordered...	Aug. 28, 2020	Case		—
Examined by	321. Stuart v. City of Scottsdale 2020 WL 4446506, *2+, D.Ariz. Pending before the Court is Defendants City of Scottsdale (the "City"), Mayor W.J. "Jim" Lane (the "Mayor"), City Councilmembers Guy Philips, Kathy Littlefield, Suzanne Klapp, Linda...	Aug. 03, 2020	Case		7 S.Ct.
Examined by	322. Lucero-Gonzalez v. Kline 2020 WL 8258212, *1+, D.Ariz. On May 8, 2020, Plaintiffs Maria Guadalupe Lucero-Gonzalez, Claudia Romero-Lorenzo, Tracy Ann Peuplie, James Tyler Ciecierski, and Marvin Lee Enos, who are confined in CoreCivic's...	July 17, 2020	Case		—
Examined by	323. Krause v. County of Mohave 2020 WL 2541728, *1+, D.Ariz. Pending before the Court are the parties' cross-motions for summary judgment. Plaintiff Ryan Andrew Krause, on behalf of Decedent Drey Krause, moved for partial summary judgment,...	May 19, 2020	Case		5 S.Ct.
Examined by	324. Udd v. City of Phoenix 2020 WL 1536326, *9+, D.Ariz. Pending before the Court are (1) a motion for summary judgment on all remaining claims by Defendants City of Phoenix ("the City") and Mary Roberts (collectively, "Defendants")...	Mar. 31, 2020	Case		5 S.Ct.
Examined by	325. Gonzales v. City of Lake Havasu City 2019 WL 6726295, *2+, D.Ariz. Pending before the Court are Defendant City of Lake Havasu City ("Defendant")'s Motion for Summary Judgment (Doc. 123) and Plaintiff Tom Gonzales ("Plaintiff")'s Motion to Strike...	Dec. 11, 2019	Case		4 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 326. Parish v. Lansdale 2019 WL 4849612, *13+, D.Ariz. Plaintiff Miles Parish brings this civil rights action against Tucson Police Department (TPD) Officers Troy Lansdale and Bradley Kush, the City of Tucson, and TPD Chief of Police. ...	Sep. 30, 2019	Case	  	 4 S.Ct.
Examined by	327. Henry v. City of Somerton  2019 WL 11753646, *9+, D.Ariz. Before the Court is Defendants' Motion to Dismiss (Doc. 25). Plaintiffs filed a Response (Doc. 31) and Defendants filed a Reply (Doc. 34). Plaintiffs Stephen Henry ("Mr. Henry")....	Sep. 18, 2019	Case	  	 5 S.Ct.
Examined by	328. Briggs v. Montgomery  2019 WL 2515950, *3+, D.Ariz. Pending before the Court are Defendants Maricopa County and Maricopa County Attorney William Montgomery's Motion to Dismiss (Doc. 34) and Defendant Treatment Assessment Screening...	June 18, 2019	Case	  	 3  4 S.Ct.
Examined by	329. Konarski v. City of Tucson 2018 WL 2722316, *1+, D.Ariz. Pending before the court is the defendants' motion for partial summary judgment filed on September 14, 2017. (Doc. 217) The plaintiffs filed a response and the defendants filed a...	June 05, 2018	Case	  	—
Examined by	 330. Platt v. Moore 2018 WL 2057900, *1+, D.Ariz. On August 30, 2017, the Court entered an order (Doc. 60) granting, in part, and denying, in part, the parties' motions to dismiss. (Docs. 43, 44, 46, and 58.) Following that order,...	Mar. 15, 2018	Case	  	—
Examined by	 331. Platt v. Moore 2018 WL 2058136, *14+, D.Ariz. Plaintiffs, William Terrence Platt (Terry) and Maria B. Platt, bring this civil rights case pursuant to 42 U.S.C. § 1983 against multiple defendants. (Doc. 1-1 at 6-44; Doc. 20.)...	Mar. 15, 2018	Case	  	—
Examined by	 332. Platt v. Moore 2017 WL 6420477, *14+, D.Ariz. Plaintiffs, William Terrence Platt (Terry) and Maria B. Platt, bring this civil rights case pursuant to 42 U.S.C. § 1983 against multiple defendants. (Doc. 1-1 at 6-44; Doc. 20.)...	Aug. 30, 2017	Case	  	—
Examined by	333. Puente Arizona v. Arpaio 2016 WL 6873294, *23+, D.Ariz. This case involves the constitutionality of two Arizona statutes that criminalize the act of identity theft when done with the intent to obtain or continue employment, and a...	Nov. 22, 2016	Case	  	—

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 334. Ericson v. City of Phoenix  2016 WL 6522805, *18+ , D.Ariz. Before the Court are Defendants City of Phoenix and Daniel Garcia's ("City Defendants' ") Joint Daubert Motion to Exclude Plaintiffs' Expert Witness Nurse Practitioner Ruth Downing...	Nov. 03, 2016	Case	  	 5 S.Ct.
Examined by	335. Hein v. City of Chandler  2016 WL 11530432, *4+ , D.Ariz. Pending before the Court is a motion to dismiss for failure to state a claim pursuant to Fed.R.Civ.P. 12(b)(6) brought by Defendants City of Chandler (the "City"), Brian Hawkins...	Sep. 16, 2016	Case	  	 2 S.Ct.
Examined by	336. Rivera v. Town of Patagonia  2016 WL 11693697, *7+ , D.Ariz. Pending before the Court is the Defendants' Partial Motion to Dismiss (Doc. 4), to which Plaintiff filed a response (Doc. 6) and Defendants filed a reply (Doc. 7). Also pending...	Aug. 10, 2016	Case	  	 6 S.Ct.
Examined by	337. Aubuchon v. Maricopa County 2016 WL 7130942, *9+ , D.Ariz. Before the Court are Defendants' Motion for Summary Judgment (Doc. 55), Plaintiffs' Motion for Summary Judgment (Doc. 57), and Plaintiffs' Motion to Strike Defendants' Response and...	Feb. 29, 2016	Case	  	—
Examined by	338. Milke v. City of Phoenix 2016 WL 5339693, *15+ , D.Ariz. In 1990, Plaintiff Debra Jean Milke was convicted of murdering her four-year-old son and sentenced to death. In 2013, the Ninth Circuit concluded Milke was entitled to habeas...	Jan. 08, 2016	Case	  	—
Examined by	 339. Kimm v. Brannan 2015 WL 5855919, *3+ , D.Ariz. At docket 28, defendants Martin Brannan, Samuel Verderman, Thomas Jones, Frank Haws, and La Paz County (collectively "County Defendants") filed a motion to dismiss pursuant to Rule...	Oct. 08, 2015	Case	  	 6 S.Ct.
Examined by	 340. Oyenik v. Corizon Health, Inc. 2015 WL 13546677, *8+ , D.Ariz. Plaintiff Ronald Edward Oyenik brought this pro se civil rights Complaint under 42 U.S.C. § 1983 against Corizon Health Incorporated (Corizon), a private corporation contracted to...	Aug. 31, 2015	Case	  	 5 S.Ct.
Examined by	 341. West v. City of Mesa  2015 WL 1959467, *1+ , D.Ariz. Defendant City of Mesa has filed a motion to dismiss (Doc. 34) and Defendants United States, Brian Truchon, and Jeffery Jacobs have filed a joint motion to dismiss (Doc. 36). The...	Apr. 29, 2015	Case	  	 5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	342. Rascon v. Brookins 2015 WL 13878488, *4+, D.Ariz. At issue are the following motions: the Motion to Dismiss for Failure to State a Claim, filed by Defendants Jeremy King, Steven Squier, Nicholas Welch and the City of Phoenix (Doc....)	Feb. 11, 2015	Case		—
Examined by	343. Jones v. Town of Quartzsite 2014 WL 4771851, *1+, D.Ariz. Pending before the Court is Defendants Town of Quartzsite ("Quartzsite"), et al.'s (collectively, the "Defendants"), Motion for Judgment on the Pleadings. (Doc. 22). Plaintiff...	Sep. 24, 2014	Case		5 S.Ct.
Examined by	344. Atencio v. Arpaio 2013 WL 5327382, *1+, D.Ariz. Before the Court is the Motion to Bifurcate, filed by "City Defendants" Patrick Hanlon, Nicholas French, and the City of Phoenix (Doc. 11) and joined by the "County Defendants"...	Sep. 24, 2013	Case		—
Examined by	345. Jones v. Corrections Corp. of America 2013 WL 56119, *12+, D.Ariz. Before the Court is Defendant's Motion for Summary Judgment (Doc. 178) and Plaintiff's Motion for Leave to File Non-Electronic Document (Doc. 188). The Court will grant Defendant's...	Jan. 03, 2013	Case		6 S.Ct.
Examined by	346. Hulstedt v. City of Scottsdale 884 F.Supp.2d 972, 1014+, D.Ariz. CIVIL RIGHTS - Excessive Force. City police officers' use of deadly force against mentally-ill suspect during hostage situation was excessive.	Aug. 06, 2012	Case		2 5 S.Ct.
Examined by	347. Razaimalek v. City of Tucson 2006 WL 8440291, *3+, D.Ariz. Pending before the court is a motion for summary judgment filed on September 20, 2005, by the defendant, City of Tucson. [#68] The plaintiff filed a timely response opposing the...	Jan. 09, 2006	Case		4 S.Ct.
Examined by	348. Walls v. Starks 2020 WL 6675632, *1+, E.D.Ark. Pending before the Court is a discovery dispute that has been referred to me for resolution by Chief United States District Judge D. P. Marshall, Jr. The matters at issue are...	Nov. 12, 2020	Case		—
Examined by	349. Fridline v. Holt 2018 WL 6495069, *8+, W.D.Ark. This is a civil rights action brought by Jason Fridline contending that his constitutional rights were violated while he was incarcerated in the Benton County Detention Center...	Dec. 10, 2018	Case		—
Examined by	350. Burks v. Carter 2012 WL 12892753, *1+, E.D.Ark. The motions of defendants, Steve Carter and Ben Hines [Doc. No. 40], Dr. Obama Asemota [Doc. No. 44], and Diane Baldwin and the McGee-Desha County Hospital [Doc. No. 48], for...	July 03, 2012	Case		4 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	351. DeShazo v. Partain 2008 WL 696918, *4+, W.D.Ark. Before the Court is the Report and Recommendation filed February 11, 2008 by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas....	Mar. 13, 2008	Case	  	4 6 S.Ct.
Examined by	352. MARRIYANNA BRYANT, Plaintiff, v. CITY OF ANTIOCH, et al., Defendants. Additional Party Names: Eric McManus, Jason Vanderpool, Robert Gerber 2021 WL 3565443, *2+, N.D.Cal. Pending before the Court is Defendants City of Antioch ("City"), Officer Robert Gerber ("Gerber"), Officer Eric McManus ("McManus"), and Officer Jason Vanderpool ("Vanderpool")...	Aug. 12, 2021	Case	  	5 S.Ct.
Examined by	353. JACOB MALAE, Plaintiff, v. CITY OF SANTA CLARA, et al., Defendants. Additional Party Names: Patrick Nikolai, Todd Cummins 2021 WL 3493730, *3+, N.D.Cal. Defendants have moved to dismiss the first amended complaint. The Court previously determined that the motion was appropriate for determination without oral argument, in accordance...	Aug. 09, 2021	Case	  	5 S.Ct.
Examined by	354. DAVID DONALD CLINE, Plaintiff, v. A. ROBERTS, et al., Defendants. Additional Party Names: County of Santa Cruz, Ethan Rumrill, James Hart 2021 WL 3427011, *1+, N.D.Cal. This case arises out of an encounter between the Santa Cruz County sheriffs and Plaintiff David Cline and his late mother, Kathryn Cline. What began as a welfare check ended with...	Aug. 05, 2021	Case	  	6 S.Ct.
Examined by	355. K.C.A. by and through Purvis v. County of San Diego 2021 WL 3370790, *2+, S.D.Cal. Defendant County of San Diego (the "County") moves to dismiss the First Amended Complaint ("FAC") under Federal Rule of Civil Procedure 12(b) (6) and strike immaterial portions...	Aug. 03, 2021	Case	  	5 S.Ct.
Examined by	356. Flores v. County of Fresno 2021 WL 3287715, *3+, E.D.Cal. This matter is before the court on the motion to dismiss filed by defendant Corizon Health Inc. ("Corizon") on October 9, 2020. (Doc. No. 47.) Pursuant to General Order No. 617....	Aug. 02, 2021	Case	  	5 6 S.Ct.
Examined by	357. Barich v. City of Cotati 2021 WL 3053204, *4+, N.D.Cal. Plaintiffs George E. Barich and Laurie Alderman sued Defendants the City of Cotati ("City") and John A. Dell'Osso, the Mayor of the City during the time in question, under 42...	July 20, 2021	Case	  	—

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	358. Rubalcava v. City of San Jose 2021 WL 2987164, *1+, N.D.Cal. This action arises out of a tragic miscarriage of justice that resulted in Plaintiff Lionel Rubalcava serving more than seventeen years in prison for a crime he did not commit: the...	July 15, 2021	Case	  	—
Examined by	359. Barber v. County of Orange   2021 WL 2981014, *1+, C.D.Cal. Plaintiff Shawn Barber brings this civil rights action against Defendants County of Orange (the "County"); Orange County Sheriff's Deputies Pefley, Distler, and Faour; and unnamed...	July 13, 2021	Case	 	 5 S.Ct.
Examined by	 360. Hill v. City of Fountain Valley   2021 WL 2987156, *1+, C.D.Cal. Before the Court is Defendants' City of Fountain Valley, Stuart Chase, Gannon Kelly, and James Cataline (collectively "Defendants") Motion for Summary Judgment ("Motion" or...	July 13, 2021	Case	 	 1  5 S.Ct.
Examined by	361. Guy v. Lorenzen 2021 WL 2780389, *9+, S.D.Cal. This action arises from a tragic sequence of events which led to Plaintiff Devante L. Guy being severely injured by oncoming traffic while being detained by a police officer in...	July 02, 2021	Case	 	—
Examined by	362. Thomas on behalf of Thomas v. County of San Diego 2021 WL 2715086, *4+, S.D.Cal. This matter is before the Court on Defendant County of San Diego's motion to dismiss Plaintiff's first amended complaint. [Doc. No. 19.] The motion has been fully briefed and the...	July 01, 2021	Case	 	 5 S.Ct.
Examined by	363. Maldonado v. City of Ripon 2021 WL 2682163, *2+, E.D.Cal. This matter is before the Court on Defendants City of Ripon (the "City"), Police Chief Edward F. Ormonde ("Ormonde"), Officer Richard Francis ("Francis"), Officer Raul Hernandez...	June 30, 2021	Case	 	—
Examined by	364. Corrigan v. County of Calaveras 2021 WL 2550990, *2+, E.D.Cal. This matter is before the court on two separate motions to dismiss. First, defendant Joseph Boberg has moved to dismiss plaintiffs' original complaint pursuant to Rule 4(m) and...	June 22, 2021	Case	 	—
Examined by	365. C.B. v. Moreno Valley Unified School District 2021 WL 2644101, *1+, C.D.Cal. EDUCATION — Searches and Seizures. Minor student's sufficiently alleged that deputy sheriff used excessive force in violation of the Fourth Amendment.	June 17, 2021	Case	 	 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	366. <i>Zhang v. County of Monterey</i> 2021 WL 2291849, *1+, N.D.Cal. The parties have now engaged in several rounds of briefing with respect to the bases upon which municipal liability may be shown. See, e.g., ECF No. 149, 152, 159, 164, 167, 168....	June 04, 2021	Case		2 S.Ct.
Examined by	367. <i>Bauer v. City of Pleasanton</i> 2021 WL 2224016, *1+, N.D.Cal. In August 2018, two police officers responded to a 911 call about a disturbance at a grocery store. Store employees told the officers that Jacob Bauer had been breaking bottles and...	June 02, 2021	Case		—
Examined by	368. <i>Salkhi v. Dueweke</i> 2021 WL 2224333, *5+, N.D.Cal. Plaintiffs Ali Salkhi, in his individual capacity and as trustee of the Ali Salkhi and Fatemeh Salkhi 1993 Revocable Family Trust, and Salkhi Family Holdings, Inc. bring this civil...	June 02, 2021	Case		—
Examined by	369. <i>MANDY LIEN and ERIN SMITH, Plaintiffs, v. CITY OF SAN DIEGO, et al., Defendants. Additional Party Names: David Nisleit, Todd Gloria</i> 2021 WL 2072385, *2+, S.D.Cal. Plaintiffs Mandy Lien ("Lien") and Erin Smith ("Smith") (collectively, "Plaintiffs") bring this civil rights action under 42 U.S.C. § 1983 against Defendants City of San Diego...	May 24, 2021	Case		6 S.Ct.
Examined by	370. <i>Adams v. City of Redding</i> 2021 WL 1985421, *1+, E.D.Cal. This matter is before the Court on Defendant City of Redding's ("Defendant") Motion to Dismiss. (ECF No. 22.) Plaintiff Cindy Adams ("Plaintiff") opposed Defendant's motion. (ECF...	May 18, 2021	Case		—
Examined by	371. <i>Thurston v. City of Vallejo</i> 2021 WL 1839717, *1+, E.D.Cal. This § 1983 action arises from the traffic stop of plaintiff Delon Thurston by City of Vallejo police officers. Defendants City of Vallejo, Chief of Vallejo Police Department...	May 07, 2021	Case		5 S.Ct.
Examined by	372. <i>Holloway v. County of Orange</i> 2021 WL 1785088, *3+, C.D.Cal. Before the Court is Defendant County of Orange's ("Defendant County" or "County") Motion for Summary Judgment (Dkt 102) and Individual Defendants' Motion for Summary Adjudication...	May 05, 2021	Case		4 S.Ct.
Examined by	373. <i>Dew v. City of Seaside</i> 2021 WL 1749898, *4+, N.D.Cal. As successors-in-interest of Brandon Virtue, Plaintiffs bring this suit against Seaside Police Chief Abdul Pridgen ("Pridgen") and former Seaside Police Officer Manuel Fernandez...	May 04, 2021	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	374. Barber v. County of Orange 2021 WL 2981015, *1+, C.D.Cal. Plaintiff Shawn Barber brings this civil rights action against Defendants County of Orange (the "County"); Orange County Sheriff's Deputies Pefley, Distler, and Faour; and unnamed...	Apr. 29, 2021	Case		5 S.Ct.
Examined by	375. Alexander v. City of Brisbane Inc. 2021 WL 1700175, *1+, N.D.Cal. Plaintiffs Olga Alexander ("Olga") and her children T.A. and V.A. filed this action against her separated spouse Timothy Alexander ("Alexander") and The City of Brisbane Inc.,....	Apr. 29, 2021	Case		4 S.Ct.
Examined by	376. Banks v. Mortimer 2021 WL 1599266, *1+, N.D.Cal. Before the Court is Defendants' motion to dismiss Plaintiffs' municipal ("Monell") liability and supervisor liability claims. Dkt. No. 58. The Court has carefully considered the...	Apr. 23, 2021	Case		—
Examined by	377. Campos v. Fresno Deputy Sheriff's Association 2021 WL 1577816, *1+, E.D.Cal. GOVERNMENT — Municipalities. County, as municipality, could not invoke good faith as affirmative defense to liability under § 1983.	Apr. 22, 2021	Case		5 7 S.Ct.
Examined by	378. Peterson v. County of Sacramento Sheriff's Department 2021 WL 1546459, *1+, E.D.Cal. This matter is before the court for screening under 28 U.S.C. § 1915(e). Plaintiff proceeds on her third amended complaint, ECF No. 11, against a dozen named defendants and one...	Apr. 20, 2021	Case		5 S.Ct.
Examined by	379. Williams v. County of Monterey 2021 WL 1376029, *4+, N.D.Cal. Monia Williams filed this suit on behalf of herself and her minor children, daughter L.S. and son Q.S., following removal of the children from her custody. The children were out of...	Apr. 12, 2021	Case		—
Examined by	380. Galban v. City of Fontana 2021 WL 1307722, *1+, C.D.Cal. Defendants Fontana Police Chief William Green and the City of Fontana move to dismiss the claims against them in Plaintiffs Socorro Galban and B.S.G.'s Fourth Amended Complaint...	Apr. 07, 2021	Case		6 S.Ct.
Examined by	381. Pelayo v. City of Anaheim 2021 WL 2153220, *9+, C.D.Cal. Before the Court is Defendants City of Anaheim and the individual officers' ("Defendants") motion for summary judgment. Mot. for Summ. J., ECF No. 34. Plaintiff Florentina Pelayo...	Apr. 06, 2021	Case		6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	382. Rodriguez v. San Joaquin 2021 WL 1214569, *3+, E.D.Cal. This matter is before the Court pursuant to a Motion to Dismiss brought by Defendants County of San Joaquin through San Joaquin County Human Services Agency ("HSA"), Stephanie...	Mar. 31, 2021	Case	 	—
Examined by	383. Martinez v. City of West Sacramento 2021 WL 1216532, *3+, E.D.Cal. This matter is before the Court on Motions to Dismiss brought by the following Defendants: City of Stockton and Stockton Police Department (collectively, the "Stockton Defendants")...	Mar. 31, 2021	Case	 	—
Examined by	384. Negrete v. Los Angeles County 2021 WL 2791620, *2+, C.D.Cal. On December 7, 2020, Plaintiff Anna Neal Negrete ("Plaintiff"), proceeding pro se, filed a Complaint alleging violations of her civil rights pursuant to 42 U.S.C. § 1983 ("Section..."	Mar. 18, 2021	Case	 	4 S.Ct.
Examined by	385. Matthews v. County of Santa Cruz 2021 WL 949419, *3+, N.D.Cal. Plaintiff Darin Matthews ("Plaintiff") recently filed a complaint (Dkt. No. 1, "Complaint") in this matter against County of Santa Cruz; Steven Carney ; City of Scotts Valley;...	Mar. 12, 2021	Case	 	—
Examined by	386. Gibson v. County of Orange 2021 WL 860000, *10+, C.D.Cal. Before the Court is the Motion to Dismiss of Defendants County of Orange, Sheriff Don Barnes, Deputy Thomas, Deputy Robinson, and Deputy T. Carillo. The Court finds that the...	Mar. 08, 2021	Case	 	—
Examined by	387. Henderson v. Lizarraga 2021 WL 843461, *4+, E.D.Cal. Plaintiff, a prisoner proceeding pro se, brings this civil rights action under 42 U.S.C. § 1983. Before the Court is Defendant's motion for summary judgment. ECF No. 56. Plaintiff...	Mar. 05, 2021	Case	 	—
Examined by	388. Barnett v. County of Los Angeles 2021 WL 826413, *2+, C.D.Cal. Plaintiff Dana Tompkins Barnett, individually and as successor in interest to the estate of Jeffrey Barnett ("Decedent"), brings this action against Defendants County of Los...	Mar. 04, 2021	Case	 	4 S.Ct.
Examined by	389. Evans v. County of Los Angeles 2021 WL 1557607, *1+, C.D.Cal. Before the Court is Defendants County of Los Angeles (the "County"), Ezequiel Gallegos, Joe Araujo, Joe Sevilla, and Pamela Hardin's Motion for Summary Judgment (the "Motion"),....	Feb. 26, 2021	Case	 	—
Examined by	390. Bien v. City of Fresno 2021 WL 765272, *1+, E.D.Cal. Plaintiff John Bien filed this action on August 18, 2020, bringing seven claims against the City of Fresno (the "City") and several Doe Defendants in its employ for violations of...	Feb. 26, 2021	Case	 	5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	391. Cook v. City of Fremont  2021 WL 764044, *1+, N.D.Cal. Plaintiff Trevor Bryant Cook, pro se, brings this action against Defendants the City of Fremont, Fremont Police Officer Eric Tang, Fremont Police Officer Kurtis Michael Romley,...	Feb. 26, 2021	Case		 5 S.Ct.
Examined by	392. Mountford v. City of Santa Monica 2021 WL 1255188, *1+, C.D.Cal. Defendant City of Santa Monica ("City") filed a motion to dismiss Plaintiff Wolfgang Mountford's ("Mountford") second, third, fourth, and fifth causes of action. City Mot., ECF No....	Feb. 10, 2021	Case		 5 S.Ct.
Examined by	393. Perryman v. City of Pittsburg 2021 WL 493396, *1+, N.D.Cal. On February 5, 2021, the Court held a hearing on defendant's motion to dismiss portions of plaintiff's First Amended Complaint ("FAC"). Dkt. No. 36. Having considered the arguments...	Feb. 10, 2021	Case		 5 S.Ct.
Examined by	394. Williams v. County of San Diego  2021 WL 488361, *3+, S.D.Cal. CIVIL RIGHTS — Searches and Seizures. Seizure of minor children for interviews with social workers regarding reports of abuse was not unreasonable.	Feb. 10, 2021	Case		 6 S.Ct.
Examined by	 395. S.G. v. City of Los Angeles 2021 WL 911254, *2+, C.D.Cal. On December 15, 2017, several students, S.G., A.D.G., R.L., N.B. and A.G. ("Children"), through their guardians ad litem, and Christal Lord ("Lord") and Dyanna Sanabria...	Feb. 04, 2021	Case		—
Examined by	396. Sommers v. City of Santa Clara 2021 WL 326931, *6+, N.D.Cal. CIVIL RIGHTS — Municipal Liability. There was no evidence supporting municipal liability against city on excessive force claim arising from fatal shooting of subject of 911 calls.	Feb. 01, 2021	Case		 6 S.Ct.
Examined by	397. Beltran v. County of San Bernardino  2021 WL 3185474, *2+, C.D.Cal. Plaintiff Daniel Issac Beltran brings this civil rights action against the County of San Bernardino ("the County"), Sheriff's Deputy Janna Kovensky, Sheriff's Deputy Sergeant...	Jan. 28, 2021	Case		 5 S.Ct.
Examined by	398. Shirley v. Orange County 2021 WL 1192000, *2+, C.D.Cal. This Report and Recommendation is submitted to the Honorable Josephine L. Staton, United States District Judge, pursuant to 28 U.S.C. § 636 and General Order No. 05-07 of the...	Jan. 21, 2021	Case		—
Examined by	399. Ramachandran v. City of Los Altos 2021 WL 84488, *3+, N.D.Cal. Plaintiff Satish Ramachandran sues defendants City of Los Altos ("Los Altos") and Los Altos employees Kirk Ballard, David Kornfield, and Christopher Jordan (collectively, "the...	Jan. 11, 2021	Case		 2 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 400. Wilson v. City of Los Angeles  2021 WL 192014, *1+, C.D.Cal. Pending before the Court is the Motion for Summary Judgment, or Partial Summary Judgment filed by Defendants City of Los Angeles and Richard Marks (together, "Defendants") on May...	Jan. 08, 2021	Case	  	 4 S.Ct.
Examined by	401. Rosales v. County of San Diego 511 F.Supp.3d 1070, 1098+, S.D.Cal. CIVIL RIGHTS — Arrest and Detention. Deliberate indifference standard applied to § 1983 claims related to death of trespass suspect following arrest.	Jan. 05, 2021	Case	  	—
Examined by	402. Leah Kando v. City of Long Beach 2020 WL 9071698, *2+, C.D.Cal. Before the Court is Defendant City of Long Beach's motion to strike and dismiss Plaintiff Leah Kando's first amended complaint. Dkt. No. 31 (Mot.). Kando filed an opposition, Dkt....	Dec. 24, 2020	Case	  	 6 S.Ct.
Examined by	403. Guillermo Alvarado v. County of San Bernardino 2020 WL 8455156, *2+, C.D.Cal. On March 23, 2020, Plaintiff Guillermo Alvarado filed a Complaint against Defendant County of San Bernardino (the "County") and individual Doe Defendants 1-10 alleging: (1) denial...	Dec. 23, 2020	Case	  	—
Examined by	404. Caldwell v. City of San Francisco 2020 WL 7643124, *1+, N.D.Cal. Plaintiff Maurice Caldwell spent nearly 20 years in prison following his 1991 conviction for second degree murder. He was released in 2011 after a state court granted his petition...	Dec. 23, 2020	Case	  	—
Examined by	405. Taylor v. County of Calaveras 2020 WL 7406527, *13+, E.D.Cal. Plaintiffs Michael Scott Taylor and Lori Melville (collectively "Plaintiffs") bring this civil action against Defendants County of Calaveras, Calaveras County Sheriff Rick...	Dec. 17, 2020	Case	  	 5 S.Ct.
Examined by	406. Solis v. City of Sunnyvale 2020 WL 7353698, *1+, N.D.Cal. Defendants Ngo and the City of Sunnyvale move to dismiss plaintiff Chad Solis' first amended complaint. See Dkt. No. 30, Motion to Dismiss ("MTD"). As before, Solis alleges that...	Dec. 14, 2020	Case	  	 2 S.Ct.
Examined by	407. L.J. by and through Jones v. Poway Unified School District  2020 WL 7056283, *4+, S.D.Cal. Pending before the Court are fully briefed motions by Defendants City of San Diego and Officer Dylan McGill for failure to state a claim pursuant to Federal Rule of Civil Procedure...	Dec. 02, 2020	Case	  	 5 S.Ct.
Examined by	408. Benno v. Shasta County, California 2020 WL 7024059, *4+, E.D.Cal. This matter is before the Court on Defendants County of Shasta ("County"), Shasta County Board of Supervisors ("Board"), Shasta County Code Enforcement Office ("Code Enforcement"),...	Nov. 30, 2020	Case	  	 5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	409. JQ.H v. County of San Diego 2020 WL 7024645, *1+, S.D.Cal. Pending before the Court is Defendant County of San Diego's ("the County") motion to dismiss the Plaintiffs' fourth cause of action for municipal liability under Monell v. Dep't of...	Nov. 30, 2020	Case	 	—
Examined by	410. Manzo v. County of Santa Clara 2020 WL 6940935, *4+, N.D.Cal. This case concerns the treatment Plaintiff Leopoldo Manzo, Jr. ("Mr. Manzo") received while being held as a pretrial detainee in the Santa Clara County Main Jail for nearly two...	Nov. 25, 2020	Case	 	—
Examined by	411. Estate of Silva v. City of San Diego 2020 WL 6946011, *4+, S.D.Cal. Pending before the Court are Defendants' motions to dismiss Plaintiffs' first amended complaint. Plaintiffs opposed the motions and Defendants replied. The Court decides the matter...	Nov. 25, 2020	Case	 	—
Examined by	412. Zoellner v. City of Arcata 2020 WL 6868830, *1+, N.D.Cal. Defendants have moved to dismiss certain claims asserted in Plaintiff Kyle Zoellner's third amended complaint (TAC). The Court held a hearing on the motion on November 12, 2020....	Nov. 23, 2020	Case	 	—
Examined by	413. Honeycutt v. City of Los Angeles 2020 WL 7786657, *1+, C.D.Cal. The matter before the Court is Defendants' City of Los Angeles, Officer Cameron Gobble and DOES 1-10's Motion for Judgment on the Pleadings pursuant to Fed. R. Civ. P. 12(c). (Dkt....	Nov. 22, 2020	Case	 	—
Examined by	414. Lim v. Child Protective Services of Tulare County 2020 WL 6820783, *4+, E.D.Cal. On July 30, 2020, Plaintiff Chong Sook Lim, proceeding pro se, filed a civil rights action pursuant to 42 U.S.C. § 1983 ("Section 1983") against the County of Tulare (the "County")...	Nov. 20, 2020	Case	 	4 S.Ct.
Examined by	 415. Peck v. County of Orange 501 F.Supp.3d 852, 869+, C.D.Cal. CIVIL RIGHTS — Excessive Force. Factual dispute existed as to whether suspect posed immediate threat to officers, precluding summary judgment on excessive force claim.	Nov. 18, 2020	Case	 	5 6 S.Ct.
Examined by	416. Cavanaugh v. County of San Diego 2020 WL 6703592, *4+, S.D.Cal. Plaintiff Shane Cavanaugh, an individual and as personal representative and successor in interest of the Estate of Richard Boulanger along with the Estate of Richard Boulanger...	Nov. 12, 2020	Case	 	5 S.Ct.
Examined by	417. Payne v. County of San Bernardino 2020 WL 8028234, *1+, C.D.Cal. Before the Court are two motions: The first is Defendants County of San Bernardino (the "County") and Mike Flores's Motion to Stay Case Pending Outcome of the Criminal Proceedings...	Nov. 02, 2020	Case	 	4 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	418. Arellano v. Guldseth 2020 WL 6381896, *4+, S.D.Cal. Plaintiff Raul Arellano, currently incarcerated at the Richard J. Donovan Correctional Facility ("RJD") in San Diego, California, is proceeding pro se in this civil rights action...	Oct. 30, 2020	Case		2 S.Ct.
Examined by	419. Sanders v. City of National City 2020 WL 6361932, *1+, S.D.Cal. Before the Court is Defendants' motion to dismiss Plaintiff's Monell municipality liability claim and her request for punitive damages. (Doc. No. 5 at 6, 8–16.) For the following...	Oct. 29, 2020	Case		5 S.Ct.
Examined by	420. Cook v. City of Fremont 2020 WL 6318712, *2+, N.D.Cal. Plaintiff Trevor Cook, pro se, brought this action against Defendants the City of Fremont, Fremont Police Officer E. Tang, and Fremont Police Officer K. Romley (collectively,...)	Oct. 28, 2020	Case		5 S.Ct.
Examined by	421. Howe v. Mendocino County 2020 WL 6290354, *3+, N.D.Cal. On October 9, 2020 the Court heard oral argument on defendants' motion to dismiss plaintiffs' First Amended Complaint ("FAC"). Dkt. No. 42. Having considered the arguments made and...	Oct. 27, 2020	Case		5 S.Ct.
Examined by	422. Solis v. City of Sunnyvale 2020 WL 6161504, *1+, N.D.Cal. Before the Court is Defendants' motion to dismiss plaintiff Chad Solis' complaint. See Dkt. No. 14, MTD. In this civil rights action, plaintiff Chad Solis sues defendants City of...	Oct. 21, 2020	Case		—
Examined by	423. Herrera Cano v. County of Los Angeles 2020 WL 6650780, *1+, C.D.Cal. Before the Court is Defendants County of Los Angeles, Los Angeles County Probation Chief Terri McDonald, and Dr. Su-Pin Kuo's Motion for Summary Judgment (the "Motion"), filed on...	Oct. 20, 2020	Case		3 S.Ct.
Examined by	424. Bagos v. Vallejo 2020 WL 6043949, *1+, E.D.Cal. Defendants City of Vallejo ("City") and Chief of Vallejo Police Department Andrew Bidou ("Chief Bidou") (collectively "defendants") move to dismiss or strike plaintiff Angel...	Oct. 13, 2020	Case		—
Examined by	425. AGG v. City of Hayward 2020 WL 6047233, *3+, N.D.Cal. This case arises out of the fatal shooting of Agustin Gonzalez by officers of the Hayward Police Department. Plaintiffs are Gonzalez's minor children, AGG and ARG (through their...	Oct. 13, 2020	Case		5 S.Ct.
Examined by	426. Herrera v. City of Palmdale 2020 WL 7380144, *1+, C.D.Cal. Before the Court are two matters in two actions: In the first action, William Robert Herrera et al v. City of Palmdale et al, Case No. 2:16-cv-9453-MWF (FFMx), there are Defendants...	Oct. 08, 2020	Case		4 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	427. Calhoon v. City of South Lake Tahoe  2020 WL 5982087, *3+, E.D.Cal. Defendants City of South Lake Tahoe Police Department ("Police Department"), City of South Lake Tahoe ("City"), and individually named defendant police officers (collectively...)	Oct. 08, 2020	Case	  	 4 S.Ct.
Examined by	428. Vincent v. Reyes 2020 WL 5893395, *5+, N.D.Cal. Now pending before the court is a motion for summary judgment (dkt. 45) on Plaintiff's Second Amended Complaint (dkt. 27) filed by Defendants the City and County of San Francisco,...	Oct. 05, 2020	Case	  	 5 S.Ct.
Examined by	429. Castillo v. City of Watsonville 2020 WL 5798237, *2+, N.D.Cal. In the early morning hours of November 24, 2018, Robert Castillo ("Mr. Castillo") committed suicide after police officers from the City of Watsonville took him into custody on an...	Sep. 29, 2020	Case	  	—
Examined by	 430. Cervantes v. San Diego Police Chief Shelley Zimmerman  2020 WL 5759752, *1+, S.D.Cal. The claims in these consolidated civil rights actions arise from protests at a campaign rally for then-presidential candidate Donald Trump at the San Diego Convention Center on May...	Sep. 28, 2020	Case	  	 2 S.Ct.
Examined by	431. Williams v. Los Angeles Sheriff's Department 2020 WL 8461520, *1+, C.D.Cal. Before the Court is Plaintiff Janet Williams's ("Plaintiff") Motion for Default Judgment pursuant to Federal Rule of Civil Procedure ("Rule") 55. ("Motion," Dkt. No. 194)....	Sep. 25, 2020	Case	  	 6 S.Ct.
Examined by	432. Luttrell v. Hart  2020 WL 5642613, *2+, N.D.Cal. Plaintiff Tyler Luttrell brings this action against the County of Santa Cruz ("County"), Sheriff James Hart ("Sheriff Hart"), Victor Moya ("Moya"), Eduardo Mora ("Mora")...	Sep. 22, 2020	Case	  	 4 S.Ct.
Examined by	433. Garcia v. Yuba County Sheriff's Department 2020 WL 5604020, *2+, E.D.Cal. Defendant Yuba County Sheriff's Department ("YCSO") moves to dismiss ("YCSO MTD", ECF No. 11), as does defendant City of Vacaville ("Vacaville") ("Vacaville MTD", ECF No. 14), both...	Sep. 18, 2020	Case	  	 6 S.Ct.
Examined by	434. Villa v. County of San Diego  2020 WL 5535384, *1+, S.D.Cal. Before the Court is Defendant County of San Diego's motion to dismiss Plaintiff's first amended complaint. [Doc. No. 15.] The Court finds it suitable for determination on the...	Sep. 15, 2020	Case	  	 5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	435. Best v. Sonoma County Sheriffs Department 2020 WL 5517192, *3+, N.D.Cal. Plaintiff Brian Best brings this action against defendants Sonoma County Sheriffs Department, Virgil Smith, Andrew Cash, Rich Celli, Ronald Chestnut (collectively, the "Sonoma..."	Sep. 14, 2020	Case		—
Examined by	436. Joseph v. Koh 2020 WL 5408042, *2+, N.D.Cal. Plaintiff Rhawn Joseph, Ph.D., proceeding pro se, sues for alleged civil rights and other violations arising from municipal code enforcement proceedings. Presently before the Court...	Sep. 09, 2020	Case		2 5 S.Ct.
Examined by	437. Wilson v. City of Fresno 2020 WL 5366302, *6+, E.D.Cal. This matter is before the court on defendants' three separate motions to dismiss the complaint filed by plaintiffs La-Kebbia Wilson and Charles Smith. (Doc. Nos. 6, 6-1,8.) A...	Sep. 08, 2020	Case		5 S.Ct.
Examined by	438. Barnett v. County of Los Angeles 2020 WL 5350286, *1+, C.D.Cal. Plaintiff Dana Tompkins Barnett ("Ms. Tompkins" or "Plaintiff"), individually and as successor in interest to the estate of Jeffrey Barnett ("Mr. Barnett" or "Decedent"), brings...	Sep. 03, 2020	Case		5 S.Ct.
Examined by	439. Cotton v. County of San Bernardino 2020 WL 5900154, *5+, C.D.Cal. The court submits this Report and Recommendation to the Honorable Virginia A. Phillips, United States District Judge, pursuant to 28 U.S.C. § 636 and General Order No. 05-07 of the...	Sep. 01, 2020	Case		5 S.Ct.
Examined by	440. Gillespie v. County of Alameda 2020 WL 5106858, *1+, N.D.Cal. On June 5, 2020, Plaintiffs Samuel Gillespie and Suzanne Gillespie filed this action against Defendants County of Alameda ("County"), Marco Torres, Matthew Yarborough, Leo Basped,...	Aug. 31, 2020	Case		6 S.Ct.
Examined by	441. Reyes v. County of Alameda 2020 WL 5107460, *1+, N.D.Cal. On June 15, 2020, Plaintiffs Vanessa Reyes, Raymond Christopher Reyes, Sr., Yasmin Reyes, and minor R.R. filed this action against Defendants County of Alameda ("County") and...	Aug. 31, 2020	Case		5 S.Ct.
Examined by	442. Valerie Arismendez v. Deputy Velasquez 2020 WL 6162819, *8+, C.D.Cal. In this case, Plaintiff Valerie Arismendez asserts that Defendants County of Los Angeles ("COLA"), Deputy Consuelo Velazquez , Deputy Baek, Deputy Nolasco , Officer William...	Aug. 28, 2020	Case		5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	443. Santor v. Harwell  2020 WL 5017616, *1+, E.D.Cal. This case stems from the removal of Plaintiff Lean Santor's ("Santor") children by personnel from the County of Stanislaus ("the County") and the City of Newman Police Department...	Aug. 25, 2020	Case	  	 5 S.Ct.
Examined by	444. Capolupo v. County of Humboldt 2020 WL 4897902, *1+, N.D.Cal. Now pending before the court are two Motions to Dismiss Plaintiff's currently operative complaint. The first Motion to Dismiss (dkt. 82), filed by Humboldt County Sheriff's...	Aug. 20, 2020	Case	  	—
Examined by	445. Adams v. County of Kern 2020 WL 4748164, *1+, E.D.Cal. Plaintiff claims that while she was on felony probation between 2012 and 2015, she was repeatedly harassed, molested and sexually assaulted by her Kern County Probation Officer,...	Aug. 17, 2020	Case	  	—
Examined by	446. Monji v. County of Kern 2020 WL 4676649, *2+, E.D.Cal. Defendant Kern County Hospital Authority ("KCHA") moves to dismiss Plaintiff Marcel Monji's ("plaintiff") suit against it, contending plaintiff's complaint fails to allege with...	Aug. 12, 2020	Case	  	 6 S.Ct.
Examined by	447. Lozano v. Doe 1  2020 WL 6276988, *1+, C.D.Cal. Plaintiff Jose Lozano alleges that two Riverside County deputy sheriffs violated his Fourth Amendment constitutional rights when they, while issuing a minor noise citation,...	Aug. 06, 2020	Case	 	 5 S.Ct.
Examined by	448. Galban v. City of Fontana  2020 WL 8575136, *1+, C.D.Cal. Before the Court is Defendant City of Fontana's ("the City"), Defendant Fontana Police Chief William Green's ("Chief Green"), and Defendant Fontana Police Officer Justin Laing's...	Aug. 06, 2020	Case	 	 4 S.Ct.
Examined by	449. A.H. v. County of Tehama 2020 WL 4474909, *7+, E.D.Cal. This matter is before the Court on Defendants County of Tehama ("County"), Tehama County Sheriff's Office ("Department"), Sheriff Dave Hencratt ("Hencratt"), and Assistant Sheriff...	Aug. 04, 2020	Case	  	 5 S.Ct.
Examined by	450. McFadyen v. County of Tehama 2020 WL 4480376, *7+, E.D.Cal. This matter is before the Court on Defendants County of Tehama ("County"), Tehama County Sheriff's Office ("Department"), Sheriff Dave Hencratt ("Hencratt"), and Assistant Sheriff...	Aug. 04, 2020	Case	  	 5 S.Ct.
Examined by	451. Phommathep v. County of Tehama 2020 WL 4480379, *7+, E.D.Cal. This matter is before the Court on Defendants County of Tehama ("County"), Tehama County Sheriff's Office ("Department"), Sheriff Dave Hencratt ("Hencratt"), and Assistant Sheriff...	Aug. 04, 2020	Case	  	 5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	452. Steele v. County of Tehama 2020 WL 4480386, *7+, E.D.Cal. This matter is before the Court on Defendants County of Tehama ("County"), Tehama County Sheriff's Office ("Department"), Sheriff Dave Hencratt ("Hencratt"), and Assistant Sheriff...	Aug. 04, 2020	Case	  	5 S.Ct.
Examined by	453. Woods v. County of Tehama 2020 WL 4480398, *7+, E.D.Cal. This matter is before the Court on Defendants County of Tehama ("County"), Tehama County Sheriff's Office ("Department"), Sheriff Dave Hencratt ("Hencratt"), and Assistant Sheriff...	Aug. 04, 2020	Case	  	5 S.Ct.
Examined by	454. Beverly v. Orange County Sheriff 2020 WL 5834282, *2+, C.D.Cal. This Report and Recommendation is submitted to the Hon. Jesus G. Bernal, United States District Judge, pursuant to 28 U.S.C. § 636 and General Order 05-07 of the United States...	Aug. 03, 2020	Case	  	—
Examined by	455. Sekerke v. City of National City 2020 WL 4435416, *1+, S.D.Cal. Keith Sekerke ("Plaintiff"), has filed a civil rights action pursuant to 42 U.S.C. § 1983 against the City of National City ("National City"), and eleven National City Police...	Aug. 03, 2020	Case	  	—
Examined by	456. Williams v. City of Long Beach 2020 WL 4429356, *1+, C.D.Cal. Pending before the Court is Defendants' Motion to Bifurcate Plaintiff's Monell Claims Against the City of Long Beach and to Stay Monell-Related Discovery ("Motion"). (Mot. to...	July 31, 2020	Case	 	—
Examined by	457. R.H. v. County of San Bernardino 2020 WL 5775177, *3+, C.D.Cal. Before the Court are two Motions for Summary Judgment; one filed by Defendants County of San Bernardino ("County"), Kimberly Williamson, and Keith Kollman ("County Defendants")...	July 31, 2020	Case	  	—
Examined by	458. Estate of Risher v. City of Los Angeles  2020 WL 5377306, *1+, C.D.Cal. Before the Court is Defendants City of Los Angeles ("City"), Francisco Zaragoza, Isaac Fernandez, and Joseph Chavez's (collectively the "Officers") Motion for Summary Judgment or...	July 29, 2020	Case	  	3 S.Ct.
Examined by	459. Flores v. County of Fresno  2020 WL 4339825, *3+, E.D.Cal. This matter is before the court on the motion to dismiss filed by defendant Corizon Health Inc. ("Corizon") on February 4, 2020. (Doc. No. 17.) On February 25, 2020, the court...	July 28, 2020	Case	  	5 6 S.Ct.
Examined by	460. Palacios v. County of San Diego  2020 WL 4201686, *1+, S.D.Cal. On March 10, 2020, Plaintiff Maria Palacios ("Plaintiff") filed a Complaint individually and as successor in interest to her deceased son, Ivan Ortiz ("Ortiz"), against Defendants...	July 22, 2020	Case	  	6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	461. Gonzalez v. County of Fresno 2020 WL 4194029, *4+, E.D.Cal. Currently before the Court is Defendant County of Fresno's ("Defendant") motion for summary judgment pursuant to Federal Rule of Civil Procedure 56. (Doc. Nos. 21, 44.) Plaintiffs...	July 21, 2020	Case		—
Examined by	462. Tennyson v. County of Sacramento 2020 WL 4059568, *4+, E.D.Cal. On June 7, 2019, plaintiffs Tina Tennyson, Dominic Haynes-Tennyson and Devon Tennyson filed the operative first amended complaint ("complaint"), bringing multiple federal and state...	July 20, 2020	Case		—
Examined by	463. L.F. by and through Brown v. City of Stockton 2020 WL 4043017, *19+, E.D.Cal. On August 16, 2016, Stockton Police Officer David Wells observed Colby Friday walking down a street in Stockton, California. Mistaking Friday for another individual with similar...	July 17, 2020	Case		—
Examined by	464. Hohenstein v. County of Placer 2020 WL 3977879, *1+, E.D.Cal. This matter is before the Court on Defendant County of Placer's ("Defendant") Motion to Dismiss. (ECF No. 5.) Plaintiff Randy Hohenstein ("Plaintiff") filed an opposition. (ECF No....)	July 14, 2020	Case	 5 S.Ct.	S.Ct.
Examined by	465. Herrera v. City of Palmdale 2020 WL 6064015, *1+, C.D.Cal. Before the Court are four matters in two actions: In the first action, William Robert Herrera et al v. City of Palmdale et al, Case No. 2:16-cv-9453-MWF (FFMx) (the "Herrera..."	July 06, 2020	Case		—
Examined by	466. Motley v. City of Fresno, California 2020 WL 3642502, *1+, E.D.Cal. This matter is before the court on the motion to trifurcate and for limited reopening of discovery filed on behalf of defendants the City of Fresno, California ("the City") and...	July 06, 2020	Case		—
Examined by	467. Bernier v. California Highway Patrolofficer Michael Walker 2020 WL 3642510, *2+, E.D.Cal. This case concerns events stemming from the arrest and detention of plaintiff Richard Bernier, III ("Bernier") on or about the evening of November 7 and early morning of November...	July 06, 2020	Case	 5 S.Ct.	S.Ct.
Examined by	468. Dixon v. County of Sonoma 2020 WL 4932061, *1+, N.D.Cal. In this pro se prisoner's civil rights action, Robert Dixon complains about the conditions of confinement in the Sonoma County Main Adult Detention Facility ("MADF"). Mr. Dixon was...	July 01, 2020	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	469. Murguia v. Langdon  2020 WL 3542310, *4+, E.D.Cal. This matter came before the court on motions to dismiss for failure to state a claim and a motion for a more definite statement filed on behalf of defendants Tulare County...	June 30, 2020	Case	  	  5 6 S.Ct.
Examined by	470. Johnson v. County of San Bernardino 2020 WL 5224350, *1+, C.D.Cal. Attached hereto is the Court's Ruling. Defendants' motion is denied with the following exceptions. The Court grants the motion with respect to: Baltierra's liability on Plaintiff's...	June 24, 2020	Case	  	 4 S.Ct.
Examined by	471. Morgan v. City of Los Angeles 2020 WL 6048831, *1+, C.D.Cal. This case arises from the October 1, 2016, shooting death of Carnell Snell, Jr. ("Snell") by Los Angeles Police Department Officer Leovardo Guillen ("Guillen"). Snell's mother,...	June 23, 2020	Case	  	—
Examined by	472. Rich v. Pereira 2020 WL 3414703, *7+, N.D.Cal. Plaintiff Albert Rich brings this lawsuit against multiple defendants for claims arising out of an alleged assault he suffered while in custody as a pretrial detainee. Mr. Rich is...	June 22, 2020	Case	  	—
Examined by	473. Villa v. County of San Diego  2020 WL 3100045, *1+, S.D.Cal. Before the Court are Defendant County of San Diego's and Defendant Rudy Peraza's motions to dismiss. [Doc. Nos. 6, 7.] The Court finds them suitable for determination on the papers...	June 11, 2020	Case	  	  5 6 S.Ct.
Examined by	474. Seirafi v. City of Riverside 2020 WL 5223740, *1+, C.D.Cal. The Court finds this motion appropriate for decision without oral argument. Fed. R. Civ. P. 78; Local Rule 7-15. Accordingly, the hearing date of June 1, 2020, is vacated, and the...	May 26, 2020	Case	  	—
Examined by	475. Abdullah v. City and County of San Francisco 2020 WL 2614777, *1+, N.D.Cal. The plaintiffs, Rashad Abdullah and his daughter T.A., sued the City and County of San Francisco (the "CCSF") and San Francisco probation officers for civil-rights violations...	May 23, 2020	Case	  	—
Examined by	 476. Manda v. Albin 2020 WL 2614872, *4+, N.D.Cal. This is Plaintiffs' second attempt to plead facts to support their claims that Defendants unconstitutionally seized Plaintiffs' minor child A.Y. The First Amended Complaint again...	May 22, 2020	Case	  	—
Examined by	477. J.W. v. County of Los Angeles 2020 WL 5947821, *2+, C.D.Cal. Before the Court is Defendants County of Los Angeles, Karla Genovez, and Esperanza Gonzalez's (together, "Moving Defendants") Motion to Dismiss, filed April 8, 2020. ("Motion,"...	May 19, 2020	Case	  	—

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	478. Austin v. Los Angeles  2020 WL 4772379, *1+, C.D.Cal. Pseudonymous minor Plaintiff A.A. ("Plaintiff") brings claims against the County of Los Angeles ("County") and several social workers of the County: Caroline Avalos, Jamal Jones...	May 18, 2020	Case	  	 5 S.Ct.
Examined by	479. A.S.M.V v. County of Los Angeles 2020 WL 5775834, *1+, C.D.Cal. On September 24, 2019, Defendant County of Los Angeles filed a Motion to Dismiss ("MTD") Plaintiffs' Complaint under Federal Rule of Civil Procedure 12(b)(6). [Doc. # 16.] The...	May 15, 2020	Case	  	 5 S.Ct.
Examined by	480. Rasku v. City of Ukiah 460 F.Supp.3d 934, 938+, N.D.Cal. CIVIL RIGHTS — Searches and Seizures. Officer's alleged unlawful entry did not invalidate arrest as would require dismissal of § 1983 claim under the Heck doctrine.	May 14, 2020	Case	  	 2 S.Ct.
Examined by	481. Feng v. County of Santa Clara 2020 WL 2494528, *1+, N.D.Cal. This is one of five separate lawsuits that pro se plaintiff Karena Feng has brought — based on the same underlying facts — challenging the removal of her children from her custody....	May 14, 2020	Case	  	—
Examined by	482. Kastis v. Alvarado 2020 WL 2468389, *6+, E.D.Cal. This matter is before the court on a motion to dismiss plaintiff Dimitrios Kastis' second amended complaint ("SAC") brought on behalf of defendants Joe Alvarado, Matt Basgall, and...	May 13, 2020	Case	 	 5 S.Ct.
Examined by	483. Eatherton v. County of Riverside 2020 WL 3881605, *12+, C.D.Cal. Before the Court is a motion for partial summary judgment filed by Defendants County of Riverside ("County"), Kamal Abdul Kabbara, Jolene Zavorka, and Joshua Carrasco...	May 07, 2020	Case	 	—
Examined by	484. Tingrides v. California Department of Corrections and Rehabilitation 2020 WL 4904661, *5+, C.D.Cal. This Report and Recommendation is submitted to the Honorable John F. Walter pursuant to the provisions of 28 U.S.C. § 636 and General Order 05-07 of the United States District...	May 05, 2020	Case	  	 3 S.Ct.
Examined by	485. Capolupo v. County of Humboldt 2020 WL 2128819, *3+, N.D.Cal. Now pending before the court is a Motion (dkt. 64) filed by Defendant Humboldt County ("County") seeking dismissal from Plaintiff's Third Amended Complaint ("TAC") (dkt. 62). On...	May 05, 2020	Case	  	 5 S.Ct.
Examined by	486. Groom v. City of El Paso De Robles  2020 WL 5077355, *9+, C.D.Cal. Before the Court are motions to dismiss filed by Defendant Christopher Scott McGuire ("McGuire"), and Defendant City of Paso Robles (the "City") (collectively, "Defendants"). See...	Apr. 29, 2020	Case	  	 4 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	487. Ramachandran v. City of Los Altos 2020 WL 1914961, *1+, N.D.Cal. Plaintiff Satish Ramachandran sues defendants City of Los Altos ("Los Altos") and individual Los Altos employees for violation of his First and Fourteenth Amendment rights pursuant...	Apr. 20, 2020	Case	  	—
Examined by	488. Gammage v. City of San Francisco 2020 WL 1904498, *6+, N.D.Cal. Plaintiff Michael Gammage brings this civil rights action under 42 U.S.C. § 1983 and state law claiming that he suffered constitutional violations committed by the City and County...	Apr. 17, 2020	Case	  	—
Examined by	489. Casillas v. City of Los Angeles 2020 WL 5413023, *1+, C.D.Cal. The Court has considered Plaintiff Xaime Casillas's motion for sanctions; Casillas's motion for partial summary judgment; and Defendants' motion for summary judgment or, in the....	Apr. 14, 2020	Case	  	—
Examined by	490. A.I.P. v. City of Santa Ana 2020 WL 3628659, *1+, C.D.Cal. Before the Court is a Motion to Dismiss filed by Defendant City of Santa Ana. (Mot., Doc. 12.) Plaintiffs A.I.P. , Aracely Padilla, and Arturo Padilla filed an opposition, and...	Apr. 08, 2020	Case	 	5 S.Ct.
Examined by	491. Nixon v. Buck  2020 WL 10050783, *4+, C.D.Cal. Plaintiff Latisha Nixon brings this wrongful death and civil rights action as the successor in interest to her son, Gemmel Moore, against Defendants the County of Los Angeles ("the...	Mar. 26, 2020	Case	 	5 S.Ct.
Examined by	492. Bauer v. City of Pleasanton 2020 WL 1478328, *1+, N.D.Cal. In August 2019, police officers responded to a call about Jacob Bauer, who allegedly was causing a disturbance at a grocery store in Pleasanton, California. The officers allegedly...	Mar. 26, 2020	Case	 	2 S.Ct.
Examined by	493. Risse v. Porter 2020 WL 1433144, *4+, E.D.Cal. Plaintiff Lisa Risse ("Plaintiff") brings this action against Defendants Officer Michael Porter ("Officer Porter"), Rio Linda Elverta Recreation & Park District, and Fulton – El...	Mar. 24, 2020	Case	  	—
Examined by	494. Soler v. County of San Diego  2020 WL 1433336, *1+, S.D.Cal. Plaintiff James Soler brings a claim for municipal liability against Defendant County of San Diego ("the County") in this civil rights action pursuant to Monell v. Department of...	Mar. 24, 2020	Case	  	2 S.Ct.
Examined by	495. Mackie v. County of Santa Cruz 444 F.Supp.3d 1094, 1104+, N.D.Cal. CIVIL RIGHTS — Duty to Protect. Resident and her friend plausibly alleged that deputy's actions regarding resident's neighbor increased an actual, particularized danger to them.	Mar. 13, 2020	Case	  	6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	496. Woods v. City of Hayward  2020 WL 1233841, *4+, N.D.Cal. Plaintiff Bobbie Allen Woods, pro se, brought this action against Defendants the City of Hayward, the Hayward Police Department, Hayward Police Officer B. Tong, and Hayward Police...	Mar. 13, 2020	Case		 5 6 S.Ct.
Examined by	497. Mondragon v. City of Fremont 2020 WL 1156953, *1+, N.D.Cal. This case arises out of the death of 16-year-old Elena Mondragon after being shot by City of Fremont police officers. Elena was the passenger in a vehicle driven by a young man who...	Mar. 10, 2020	Case		—
Examined by	498. Steward v. County of Santa Clara 2020 WL 999840, *1+, N.D.Cal. Defendants' motion for summary judgment is scheduled for a hearing on March 6, 2020. Pursuant to Civil Local Rule 7-1(b), the Court determines that the matter is appropriate for...	Mar. 02, 2020	Case		—
Examined by	499. Gustine v. County of San Diego  2020 WL 997046, *2+, S.D.Cal. Plaintiff has brought this action under 42 U.S.C. Section 1983 alleging that his constitutional rights were violated when he was housed at the San Diego Central Jail ("SDCJ") in...	Mar. 02, 2020	Case		 5 6 S.Ct.
Examined by	500. Holloway v. County of Orange 2020 WL 2139326, *4+, C.D.Cal. Before the Court are Defendants' County of Orange ("County") and Deputy Chad Renegar's Motion to Dismiss ("County Motion") (Dkt. 32) and Defendants' Deputy Joel Gonzalez, Deputy...	Feb. 28, 2020	Case		—

Table of Authorities (113)

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Discussed	1. Adamson v. People of State of California 67 S.Ct. 1672, U.S.Cal., 1947 Admiral Dewey Adamson was convicted of murder in the first degree, the conviction was affirmed by the Supreme Court of the State of California, 27 Cal.2d 478, 165 P.2d 3, and the...	Case		”	2051+
Cited	2. Adickes v. S. H. Kress & Co. 90 S.Ct. 1598, U.S.N.Y., 1970 Action by a white woman who had been denied service in defendant's restaurant because she was in company of Negroes to recover for deprivation of rights and conspiracy to deprive...	Case		”	2036
Called into Doubt	3. Aldinger v. Howard 96 S.Ct. 2413, U.S.Wash., 1976 An order of the United States District Court for the District of Washington dismissing an action against a county for allegedly unconstitutional dismissal from employment was...	Case			2039+
Cited	4. Alexander v. Holmes County Bd. of Ed. 90 S.Ct. 29, U.S.Miss., 1969 On writ of certiorari to the United States Court of Appeals for the Fifth Circuit, the Supreme Court held that the obligation of every school district is to terminate dual school...	Case			2022+
Cited	5. Bailey v. City of New York 3 Hill 531, N.Y.Sup., 1842 If a public officer authorize the doing of an act beyond the scope of his authority, or if he be guilty of negligence or malfeasance in the discharge of duties to be performed by...	Case			2051
Discussed	6. Bank of U.S. v. Deveaux 1809 WL 1665, U.S.Ga., 1809 ERROR to the circuit court for the district of Georgia. The declaration, or petition, as it is there called, was as follows: District of Georgia. To the honourable the judges of...	Case		”	2034+
Cited	7. Barron v. City of Baltimore 1833 WL 4189, U.S.Md., 1833 The provision in the fifth amendment to the constitution of the United States, declaring that private property shall not be taken for public use, without just compensation, is...	Case			2034+

Treatment	Referenced Title	Type	Depth	Quoted	Page Number
Cited	 8. Bell v. Hood 66 S.Ct. 773, U.S.Cal., 1946 Action by Arthur L. Bell, individually, and as an associate of and division superintendent of Mankind United, a voluntary association, and others, against R. B. Hood and others for...	Case	  		2049
Mentioned	9. Benbow v. Iowa City 1868 WL 11129, U.S.Iowa, 1868 ERROR to the Circuit Court for the District of Iowa. Benbow recovered judgment on the coupons attached to certain bonds which Iowa City issued to pay its subscription to the stock...	Case	  		2027
Discussed	 10. Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics 91 S.Ct. 1999, U.S.N.Y., 1971 Appeal from order of the United States District Court for the Eastern District of New York, 276 F.Supp. 12, dismissing damage action based on unconstitutional search and seizure by...	Case	  		2041+
Cited	11. Board of Com'r's of Knox County v. Aspinwall 1860 WL 9945, U.S.Ind., 1860 THIS case was brought up by writ of error from the Circuit Court of the United States for the district of Indiana. The case is stated in the opinion of the court. The principal...	Case	 		2027+
Mentioned	12. Board of Sup'r's of Washington County, Iowa, v. Durant 1869 WL 11453, U.S.Iowa, 1869 ERROR to the Circuit Court for Iowa, the case being thus: In 1853, 1854, and 1858, the county judge of Washington County, Iowa, submitted to the voters of that county propositions...	Case	  		2027
Mentioned	 13. Boys Markets, Inc. v. Retail Clerks Union, Local 770 90 S.Ct. 1583, U.S.Cal., 1970 Action, removed from state court, to enjoin strike in violation of no-strike provision of collective-bargaining agreement. The United States District Court for the Central...	Case	  		2045
Mentioned	 14. Braden v. 30th Judicial Circuit Court of Kentucky 93 S.Ct. 1123, U.S.Ky., 1973 Habeas corpus proceeding was brought against Kentucky court by Alabama prisoner on ground that he had been denied his right to speedy trial on Kentucky charge. The United States...	Case	  		2045

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Mentioned	 15. Bradley v. School Bd. of City of Richmond 94 S.Ct. 2006, U.S.Va., 1974 School desegregation case. The United States District Court for the Eastern District of Virginia, 53 F.R.D. 28, awarded plaintiff petitioners expenses and attorney's fees for...	Case			2022
Cited	 16. Brown Shoe Co. v. U.S. 82 S.Ct. 1502, U.S.Mo., 1962 Government's civil antitrust action challenging, as violative of the Clayton Act, merger of two manufacturers and sellers of shoes. The United States District Court for the Eastern...	Case			2038
Mentioned	 17. Brown v. Board of Ed. of Topeka, Shawnee County, Kan. 74 S.Ct. 686, U.S.Kan., 1954 Class actions originating in the four states of Kansas, South Carolina, Virginia, and Delaware, by which minor Negro plaintiffs sought to obtain admission to public schools on a...	Case			2022
Discussed	 18. Burnet v. Coronado Oil & Gas Co. 52 S.Ct. 443, U.S.Dist.Col., 1932 Mr. Justice STONE, Mr. Justice BRANDEIS, Mr. Justice ROBERTS, and Mr. Justice CARDOWO, dissenting. On Writ of Certiorari to the Court of Appeals of the District of Columbia....	Case			2038+
Mentioned	19. Carter v. West Feliciana Parish School Board 90 S.Ct. 467, U.S.La., 1969 Facts and opinion, 419 F.2d 1211.	Case			2022
Cited	 20. Chattanooga Foundry & Pipe Works v. City of Atlanta 27 S.Ct. 65, U.S.Tenn., 1906 IN ERROR to the United States Circuit Court of Appeals for the Sixth Circuit to review a judgment which affirmed a judgment of the Circuit Court for the Eastern District of...	Case			2044
Called into Doubt	 21. City of Kenosha, Wis. v. Bruno 93 S.Ct. 2222, U.S.Wis., 1973 Civil rights actions for declaratory and injunctive relief on account of refusal to renew plaintiffs' liquor licenses. The United States District Court for the Eastern District of...	Case			2020+

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Cited	 22. City of Lafayette, La. v. Louisiana Power & Light Co. 98 S.Ct. 1123, U.S.La., 1978 Cities which owned and operated electric utility systems brought action against competing privately-owned electric utility charging violation of federal antitrust laws in which...	Case	   		2044
Mentioned	 23. City of Manchester v. Leiby 117 F.2d 661, C.C.A.1 (N.H.), 1941 Appeal from the District Court of the United States for the District of New Hampshire; George F. Morris, Judge. Action by Milton L. Leiby and others against the City of Manchester...	Case	   		2038
Discussed	 24. Cleveland Bd. of Educ. v. LaFleur 94 S.Ct. 791, U.S.Ohio, 1974 Suit was brought on behalf of two pregnant school teachers challenging school board mandatory leave rule. The United States District Court for the Northern District of Ohio, 326...	Case	  		2020+
Cited	 25. Cohen v. Chesterfield County School Bd. 326 F.Supp. 1159, E.D.Va., 1971 Civil rights action by teacher to determine validity of school regulation. The District Court, Merhige, J., held that school board regulation requiring women teachers to take...	Case	   		2046
Examined	 26. Collector v. Day 1870 WL 12630, U.S.Mass., 1870 ERROR to the Circuit Court for the District of Massachusetts; the case being thus: The Constitution of the United States ordains that 'Congress shall have power to lay and collect...	Case	   		2027+
Discussed	 27. Com. of Kentucky v. Dennison 1860 WL 9971, U.S.Ky., 1860 A MOTION was made in behalf of the State of Kentucky, by the direction and in the name of the Governor of the State, for a rule on the Governor of Ohio to show cause why a mandamus...	Case	   		2029+
Cited	 28. Continental T. V., Inc. v. GTE Sylvania Inc. 97 S.Ct. 2549, U.S.Cal., 1977 In private antitrust action involving validity of franchise agreement between manufacturer of television sets and retailer barring retailer from selling franchised products from...	Case	   		2038+

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Cited	 29. Corfield v. Coryell 6 F.Cas. 546, C.C.E.D.Pa., 1823 This was an action of trespass for seizing, taking and carrying away, and converting to the defendant's use, a certain vessel, the property of the plaintiff, called the Hiram. ...	Case	  		2025+
Cited	 30. Cowles v. Mercer County 1868 WL 11090, U.S.III., 1868 ERROR to the Circuit Court for the Northern District of Illinois, the case being thus: A statute of Illinois enacts by one section that, 'Each county established in the State shall...	Case	  		2034+
Mentioned	 31. Dayton Bd. of Ed. v. Brinkman 97 S.Ct. 2766, U.S.Ohio, 1977 In school desegregation case, the United States District Court for the Southern District of Ohio, following remands by the Court of Appeals, 503 F.2d 684 and 518 F.2d 853,....	Case	  		2022
Cited	 32. Douglas v. City of Jeannette (Pennsylvania) 63 S.Ct. 877, U.S.Pa., 1943 On Writ of Certiorari to the United States Circuit Court of Appeals for the Third Circuit. Suit by Robert L. Douglas and others against the City of Jeannette, a Pennsylvania...	Case	  		2038+
Cited	 33. Duncan v. State of La. 88 S.Ct. 1444, U.S.La., 1968 Defendant was convicted of simple battery in the Twenty-Fifth Judicial District Court of Louisiana. The Supreme Court of Louisiana denied his application for writ of certiorari,....	Case	  		2051+
Mentioned	 34. East Carroll Parish School Bd. v. Marshall 96 S.Ct. 1083, U.S.La., 1976 A white Louisiana resident brought suit alleging that population disparities among the wards of his parish had unconstitutionally denied him the right to an effective vote in...	Case	  		2022
Discussed	 35. Edelman v. Jordan 94 S.Ct. 1347, U.S.III., 1974 Class action for injunctive and declaratory relief was brought against Illinois officials who were administering the federal-state programs of aid to the aged, blind and disabled,....	Case	  		2038+

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Discussed	36. Ex parte Commonwealth of Virginia 1879 WL 16561, U.S.Va., 1879 PETITION for a writ of habeas corpus. The facts are stated in the opinion of the court. 1. A., a judge of a county court in Virginia, charged by the law of that State with the...	Case			2028+
Cited	37. Ex parte Young 28 S.Ct. 441, U.S.Minn., 1908 PETITION for writ of habeas corpus to secure release of petitioner from custody to which he had been committed by the Circuit Court of the United States of the District of...	Case			2046+
Mentioned	38. Fifield v. Close 15 Mich. 505, Mich., 1867 There is but one question raised in this case, and that is, whether the stamp tax on legal process in state courts is valid. The power of congress to impose such a charge, as a...	Case			2030
Cited	39. Fitzpatrick v. Bitzer 96 S.Ct. 2666, U.S.Conn., 1976 Present and retired male state employees brought action alleging that state's statutory retirement benefit plan discriminated against them because of their sex. The United States...	Case			2036+
Mentioned	40. Foster v. City of Detroit, Mich. 405 F.2d 138, 6th Cir.(Mich.), 1968 Owners of realty brought class action against city for damages for unlawful taking of property. The United States District Court for the Eastern District of Michigan, Frederick W....	Case			2052
Discussed	41. Gelpcke v. City of Dubuque 1863 WL 6638, U.S.Iowa, 1863 THE Constitution of the State of Iowa, adopted in 1846, contains the following provisions, to wit: 'ART. 1. § 6. All laws of a general nature shall have a uniform operation.' 'ART....'	Case			2027+
Mentioned	42. Gelpcke v. City of Dubuque 1863 WL 6578, U.S.Iowa, 1863 THIS suit differed both from the principal and from the preceding case in that it was not upon bonds issued upon the city, but was upon an instrument of writing by which the mayor...	Case			2027
Cited	43. Girouard v. U.S. 66 S.Ct. 826, U.S.Mass., 1946 Proceeding by James Louis Girouard for naturalization, opposed by the United States of America. There was a judgment of the Circuit Court of Appeals, 149 F.2d 760, reversing an...	Case			2038+

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Mentioned	 44. Goss v. Board of Ed. of City of Knoxville, Tenn. 83 S.Ct. 1405, U.S.Tenn., 1963 Case involving public school desegregation plan submitted by board of education. The United States District Court for the Eastern District of Tennessee approved the plan and an...	Case	  		2022
Mentioned	 45. Graves v. People of State of New York ex rel. O'Keefe 59 S.Ct. 595, U.S.N.Y., 1939 On Writ of Certiorari to the Supreme Court of the State of New York. Certiorari proceeding by the People of the State of New York, upon the relation of James B. O'Keefe, against...	Case	  		2028
Cited	 46. Green v. County School Bd. of New Kent County, Va. 88 S.Ct. 1689, U.S.Va., 1968 Proceeding attacking as deprivation of constitutional rights a freedom of choice plan allowing each pupil to choose public school he would attend. The United States District Court...	Case	  		2022+
Mentioned	 47. Griffin v. Breckenridge 91 S.Ct. 1790, U.S.Miss., 1971 Action to recover damages on account of allegedly racially motivated assault committed upon public highway. The United States District Court for the Southern District of...	Case	  		2045
Cited	 48. Hagans v. Lavine 94 S.Ct. 1372, U.S.N.Y., 1974 Recipients of public assistance under federal-state AFDC program brought action under civil rights statute challenging New York regulation permitting the State to recoup prior...	Case	  	”	2048
Mentioned	49. Hannan v. City of Haverhill 120 F.2d 87, C.C.A.1 (Mass.), 1941 Appeal from the District Court of the United States for the District of Massachusetts; Hugh D. McLellan, Judge. Action by Robert M. Hannan and others against the City of Haverhill...	Case	  		2038
Cited	 50. Henslee v. Union Planters Nat. Bank & Trust Co. 69 S.Ct. 290, U.S.Tenn., 1949 Action by the Union Planters National Bank & Trust Company and others, executors of the estate of William Bate Williams, deceased, against Lipe Henslee, individually, now residing...	Case	  	”	2043

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Cited	 51. Holmes v. City of Atlanta 76 S.Ct. 141, U.S.Ga., 1955 Facts and opinion, D.C., 124 F.Supp. 290; 5 Cir., 223 F.2d 93.	Case	  		2038+
Mentioned	 52. Home Tel. & Tel. Co. v. City of Los Angeles 33 S.Ct. 312, U.S.Cal., 1913 Appeal from the District Court of the United States for the Southern District of California to review a decree dismissing, for want of jurisdiction, the bill in a suit to enjoin...	Case	  		2033
Cited	53. Insurance Co. v. City of New Orleans 13 F.Cas. 67, C.C.D.La., 1870 This cause was submitted on the motion of complainant for an injunction.	Case	  		2051
Cited	 54. Irvine v. Town of Greenwood 72 S.E. 228, S.C., 1911 Appeal from Common Pleas Circuit Court of Greenwood County; S. W. G. Shipp, Judge. "To be officially reported." Action by H. E. Irvine, as administrator of the estate of W....	Case	  		2051
Mentioned	55. Jones v. Keep's Estate 19 Wis. 369, Wis., 1865 That provision of the act of congress approved July 1, 1862 (12 U. S. Statutes at Large, p. 483), which requires stamps to be affixed to "writs or other original process by which..."	Case	  		2030
Cited	 56. Keyes v. School Dist. No. 1, Denver, Colo. 93 S.Ct. 2686, U.S.Colo., 1973 Suit wherein parents of children attending public schools sued individually, and on behalf of their minor children, and on behalf of class of persons similarly situated, to remedy...	Case	  		2022+
Mentioned	 57. Kramer v. Union Free School Dist. No. 15 89 S.Ct. 1886, U.S.N.Y., 1969 Class action for determination that state statute is unconstitutional, and for injunction against enforcement. On remand following a decision reported at 379 F.2d 491, reversing 259...	Case	  		2022
Cited	 58. Lane County v. State of Oregon 1868 WL 11084, U.S.Or., 1868 ERROR to the Supreme Court of Oregon. The case was this: Congress, February, 1862, authorized the issue of \$150,000,000 in notes of the United States, and enacted that they should...	Case	  		2029

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Mentioned	 59. Lincoln County v. Luning 10 S.Ct. 363, U.S.Nev., 1890 In error to the circuit court of the United States for the district of Nevada.	Case	  		2036
Mentioned	 60. Lodge 76, Intern. Ass'n of Machinists and Aerospace Workers, AFL-CIO v. Wisconsin Employment Relations Commission 96 S.Ct. 2548, U.S.Wis., 1976 An employer filed a charge with the National Labor Relations Board, claiming that union members' concerted refusal to work overtime during negotiations for renewal of an expired...	Case	  		2045
Discussed	 61. Louisville, C. & C.R. Co. v. Letson 1844 WL 5963, U.S.S.C., 1844 A citizen of one state can sue a corporation which has been created by, and transacts its business in, another state, (the suit being brought in the latter state,) although some of...	Case	  		2034+
Mentioned	 62. M'Culloch v. State 1819 WL 2135, U.S.Md., 1819 United States Bank.—Implied power.—Taxing power. Congress has power to incorporate a bank. The government of the Union is a government of the people; it emanates from them; its...	Case	  		2029
Cited	 63. Mapp v. Ohio 81 S.Ct. 1684, U.S.Ohio, 1961 Prosecution for possession and control of obscene material. An Ohio Common Pleas Court rendered judgment, and the defendant appealed. The Ohio Supreme Court, 170 Ohio St. 427,...	Case	  		2050+
Discussed	 64. Marbury v. Madison 1803 WL 893, U.S.Dist.Col., 1803 The supreme court of the U. States has not power to issue a mandamus to a secretary of state of the U. States, it being an exercise of original jurisdiction not warranted by the...	Case	  		2045+
Mentioned	 65. McNeese v. Board of Ed. for Community Unit School Dist. 187, Cahokia, Ill. 83 S.Ct. 1433, U.S.Ill., 1963 Suit by Negro public school pupils under Civil Rights Act for equitable relief from school segregation. The United States District Court for the Eastern District of Illinois, 199...	Case	  		2022+

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Mentioned	66. Meriwether v. Garrett 1880 WL 18841, U.S.Tenn., 1880 1. Property held for public uses, such as public buildings, streets, squares, parks, promenades, wharves, landing-places, fire-engines, hose and hose-carriages, engine-houses,...	Case	  		2027
Discussed	 67. Milliken v. Bradley 97 S.Ct. 2749, U.S.Mich., 1977 In school desegregation case, the United States District Court for the Eastern District of Michigan, 402 F.Supp. 1096 and 411 F.Supp. 943, ordered implementation of student...	Case	  		2022+
Mentioned	 68. Milliken v. Bradley 94 S.Ct. 3112, U.S.Mich., 1974 Parents, children and others instituted a class action against various state and school district officials seeking relief from alleged illegal racial segregation in the Detroit...	Case	 		2022
Judgment Reversed	 69. Monell v. Department of Social Services of City of New York 532 F.2d 259, 2nd Cir.(N.Y.), 1976 City employees brought action against board of education and department of social services challenging rules and regulations which compelled pregnant employees to take unpaid...	Case	  		2020+
Discussed	 70. Monell v. Department of Social Services of City of New York 394 F.Supp. 853, S.D.N.Y., 1975 City employees brought action against board of education and department of social services challenging rules and regulations which they claimed arbitrarily compelled pregnant...	Case	  		2021+
Cited	71. Monell v. Department of Social Services of City of New York 97 S.Ct. 807, U.S.N.Y., 1977 Facts and opinion, D.C., 394 F.Supp. 853; 532 F.2d 259.	Case	 		2021+
Examined	 72. Monroe v. Board of Com'rs of City of Jackson, Tenn. 88 S.Ct. 1700, U.S.Tenn., 1968 School desegregation case. The United States District Court for the Western District of Tennessee, Eastern Division, 221 F.Supp. 968, approved desegregation plan. After one year...	Case	 		2019+

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Overruled	 73. Monroe v. Pape 81 S.Ct. 473, U.S.III., 1961 Action for violation of Federal Civil Rights act against city police officers and city. The United States District Court for the Northern District of Illinois, Eastern Division,....	Case	  		2019+
Cited	 74. Monroe v. Pape 272 F.2d 365, 7th Cir.(III.), 1959 Action for violation of the Federal Civil Rights Act brought against city police officers and city. From a judgment dismissing the complaint in the United States District Court for...	Case	  		2045
Called into Doubt	 75. Moor v. Alameda County 93 S.Ct. 1785, U.S.Cal., 1973 Two individuals brought actions against county, deputy sheriff and sheriff for damages under the Civil Rights Act and, invoking pendent jurisdiction, for claims under California...	Case	  		2022+
Discussed	 76. Mt. Healthy City School Dist. Bd. of Educ. v. Doyle 97 S.Ct. 568, U.S.Ohio, 1977 An untenured teacher, having been discharged from his employment, brought an action against his former employer for reinstatement and damages, claiming that the school district's...	Case	  		2022+
Cited	 77. Nashville, C. & St. L. Ry. v. Browning 60 S.Ct. 968, U.S.Tenn., 1940 On Writ of Certiorari to the Supreme Court of the State of Tennessee. Suit by the Nashville, Chattanooga & St. Louis Railway against Gordon Browning and others, constituting the...	Case	  		2036
Cited	 78. National League of Cities v. Usery 96 S.Ct. 2465, U.S.Dist.Col., 1976 Cities, states and intergovernmental organizations brought an action challenging the validity of the 1974 amendments to the Fair Labor Standards Act which extended its minimum wage...	Case	  		2036
Cited	79. Northcross v. Board of Educ. of Memphis, Tenn., City Schools 90 S.Ct. 891, U.S.Tenn., 1970 School desegregation case. From order and judgment of the United States District Court for the Western District of Tennessee, petitioners appealed and subsequently filed motion...	Case	  		2022+

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Discussed	80. Northwestern Fertilizing Co. v. Hyde Park 18 F.Cas. 393, C.C.N.D.III., 1873 This was a bill in equity filed by the Northwestern Fertilizing Company against the town of Hyde Park and its corporate officers and agents, to restrain them from interfering with...	Case			2035+
Mentioned	81. Orleans Parish School Board v. Bush 81 S.Ct. 754, U.S.La., 1961 Appeals from the United States District Court for the Eastern District of Louisiana. Former decision, 364 U.S. 500, 81 S.Ct. 260. Facts and opinion, D.C., 187 F.Supp. 42;D.C., 188...	Case			2022
Cited	82. Paul v. State of Virginia 1868 WL 11123, U.S.Va., 1868 ERROR to the Supreme Court of Appeals of the State of Virginia. The case was thus: An act of the legislature of Virginia, passed on the 3d of February, 1866, provided that no...	Case			2051
Mentioned	83. Pfizer, Inc. v. Government of India 98 S.Ct. 584, U.S.Minn., 1978 The governments of several foreign countries, as purchasers of antibiotics, brought antitrust treble damage suits against major pharmaceutical firms in United States. The...	Case			2044
Examined	84. Prigg v. Com. of Pennsylvania 1842 WL 5728, U.S.Pa., 1842 Constitutional law.—Fugitives from labor.—Powers of the states. Edward Prigg, a citizen of the state of Maryland, was indicted for kidnapping, in the court of oyer and terminer of...	Case			2026+
Mentioned	85. Procunier v. Navarette 98 S.Ct. 855, U.S.Cal., 1978 State prisoner brought civil rights action against prison officials alleging, inter alia, negligent interference with the prisoner's outgoing mail. The United States District...	Case			2044
Mentioned	86. Raney v. Board of Ed. of Gould School Dist. 88 S.Ct. 1697, U.S.Ark., 1968 Class action by parents and friends of minor Negro students against local school board. The United States District Court for the Eastern District of Arkansas dismissed complaint,...	Case			2022

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Cited	 87. Richmond Elks Hall Ass'n v. Richmond Redevelopment Agency 561 F.2d 1327, 9th Cir.(Cal.), 1977 Landowner brought inverse condemnation action, under Fifth Amendment of United States Constitution, against city redevelopment agency for just compensation for a de facto taking....	Case	  		2052
Mentioned	 88. Riggs v. Johnson County 1867 WL 11194, U.S.Iowa, 1867 ERROR to the Circuit Court for the District of Iowa. The case somewhat fully stated was thus: Statutes of Iowa enact: That the county commissioners of any county may submit to the...	Case	  		2027
Cited	 89. Rizzo v. Goode 96 S.Ct. 598, U.S.Pa., 1976 Civil rights actions were instituted against a city and its mayor and other city and police officials asking for sweeping equitable relief, including appointment of a receiver to...	Case	  		2037+
Cited	 90. Runyon v. McCrary 96 S.Ct. 2586, U.S.Va., 1976 Actions for deprivation of civil rights were brought by parents of black children who were allegedly denied admission to private schools solely on the basis of race, and an...	Case	  		2048+
Mentioned	 91. San Antonio Independent School Dist. v. Rodriguez 93 S.Ct. 1278, U.S.Tex., 1973 Class action was brought on behalf of school children, who were said to be members of poor families residing in school districts having low property tax base, challenging reliance...	Case	  		2022
Cited	 92. Santa Clara County v. Southern Pac. R. Co. 18 F. 385, C.C.D.Cal., 1883 At Law.	Case	  		2035
Cited	 93. Scheuer v. Rhodes 94 S.Ct. 1683, U.S.Ohio, 1974 Actions which arose out of a confrontation between university students and the national guard were brought under the Civil Rights Act and state laws. The United States District...	Case	  		2020+

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Mentioned	 94. School Dist. of Abington Tp., Pa. v. Schempp 83 S.Ct. 1560, U.S.Pa., 1963 Two companion cases presenting issues in the context of state action requiring that schools begin each day with readings from the Bible. In one case, No. 142, an action by parents...	Case	  		2022
Mentioned	 95. Screws v. U.S. 65 S.Ct. 1031, U.S.Ga., 1945 M. Claude Screws, Frank Edward Jones and Jim Bob Kelley were convicted of violating, and of a conspiracy to violate, Criminal Code, s 20, 18 U.S.C.A. s 52, penalizing willful...	Case	  		2048
Cited	96. Smith v. Moody 26 Ind. 299, Ind., 1866 Smith sued Moody and another in the court below upon a promissory note. The defendants answered: "That the plaintiff is a negro, or person of African descent, and that prior to..."	Case	  		2025
Cited	97. Smith v. Short 40 Ala. 385, Ala., 1867 [ACTION ON ACCOUNT FOR BOARD AND LODGING.] APPEAL from the Circuit Court of Mobile. Tried before the Hon. C. W. RAPIER.	Case	  		2030+
Cited	98. Sumner v. Philadelphia 23 F.Cas. 392, C.C.E.D.Pa., 1873 At law.	Case	  		2034
Mentioned	99. Supervisors v. Rogers 1868 WL 11103, U.S.III., 1868 ERROR to the Circuit Court for Northern Illinois. The case, which involved two points, being this: 1. An act of Congress of the 28th of February, 1839, provides, that in all suits...	Case	  		2027
Cited	 100. Swann v. Charlotte-Mecklenburg Bd. of Ed. 91 S.Ct. 1267, U.S.N.C., 1971 School desegregation cases. The United States District Court for the Western District of North Carolina, 311 F.Supp. 265, rendered judgment from which parties on both sides...	Case	  		2022+
Mentioned	 101. Tinker v. Des Moines Independent Community School Dist. 89 S.Ct. 733, U.S.Iowa, 1969 Action against school district, its board of directors and certain administrative officials and teachers to recover nominal damages and obtain an injunction against enforcement of...	Case	  		2022+

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Cited	 102. U. S. v. Detroit Timber & Lumber Co. 26 S.Ct. 282, U.S.Ark., 1906 CROSS APPEALS from the United States Circuit Court of Appeals for the Eighth Circuit to review a decree of that court which, on appeal from a decree of the Circuit Court for the...	Case	  		2019
Cited	 103. U.S. v. Classic 61 S.Ct. 1031, U.S.La., 1941 Appeal from the District Court of the United States for the Eastern District of Louisiana. Patrick B. Classic, John A. Morris, Bernard W. Yeager, Jr., William Schumacher, and J. J....	Case	  		2048
Cited	104. U.S. v. Maurice 26 F.Cas. 1211, C.C.D.Va., 1823 At law.	Case	  		2035
Cited	 105. U.S. v. More 1805 WL 1086, U.S.Dist.Col., 1805 ERROR to the circuit court of the district of Columbia, sitting at Washington, upon a judgment in favour of the traverser, on a demurrer to an indictment for taking unlawful fees...	Case	  		2049
Mentioned	106. Union Bank v. Hill 43 Tenn. 325, Tenn., 1866 Has the Congress of the United States, the power to lay a tax or duty upon the process of States Courts? is a question which has recently engaged the attention of the Supreme...	Case	  		2030
Cited	 107. Vlandis v. Kline 93 S.Ct. 2230, U.S.Conn., 1973 Suit was brought under the Civil Rights Act by Connecticut university students contending that they were bona fide residents of Connecticut and were, by a Connecticut statute,....	Case	  		2046
Mentioned	 108. Von Hoffman v. City of Quincy 1866 WL 9440, U.S.III., 1866 THIS case was brought up by a writ of error to the Circuit Court of the United States for the Southern District of Illinois. The relator filed his petition in that court, alleging,....	Case	  		2027
Mentioned	109. Vorcheimer v. School District of Philadelphia 97 S.Ct. 1671, U.S.Pa., 1977 Former decision, 429 U.S. 893, 97 S.Ct. 252; 429 U.S. 1059, 97 S.Ct. 781. Facts and opinion, D.C., 400 F.Supp. 326; 532 F.2d 880.	Case	  		2022

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Cited	110. Warren v. Paul 22 Ind. 276, Ind., 1864 Suit to recover possession of personal property. Suit dismissed by the Court, on motion of defendant, and a return of property ordered, because papers were not stamped as required...	Case			2030
Mentioned	111. Weber v. Lee County 1867 WL 11223, U.S.III., 1867 ERROR to the Circuit Court of the United States for the Northern District of Illinois. In this case, where the questions presented for decision were the same as those decided in...	Case			2027
Cited	112. Wolf v. People of the State of Colo. 69 S.Ct. 1359, U.S.Colo., 1949 Julius A. Wolf was convicted of conspiring with others to commit abortions. The convictions were affirmed by the Supreme Court of Colorado, 187 P.2d 926, 928, and he brings...	Case			2050
Cited	113. Wood v. Strickland 95 S.Ct. 992, U.S.Ark., 1975 Public high school students, who were expelled from school for violating a school regulation prohibiting the use or possession of intoxicating beverages at school or school...	Case			2044