

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JAY RUSSELL SHAFER,

Plaintiff,

v.

COUNTY OF SANTA BARBARA,
BILL BROWN, individually and as
Sheriff of Santa Barbara County,
SANTA BARBARA SHERIFF'S
DEPARTMENT, DEPUTY FREDDY
PADILLA, #2465 individually and as a
peace officer, DOES 1-10, inclusive,

Defendants.

Case No: 2:11-cv-08110-FMO-FFM

**FINAL JUDGMENT
REGARDING DEFENDANT
DEPUTY FREDDY PADILLA**

[Fed. R. Civ. P. 54 & 58]

Judge: Hon. Fernando M. Olguin
Courtroom: 22 – 5th Floor Spring St.

This action was tried by a jury in Courtroom 22 of the United States District Court for the Central District of California, the Honorable Fernando M. Olguin, United States District Judge Presiding; the plaintiff JAY RUSSELL SHAFER appearing by attorney Thomas E. Beck, and the defendant DEPUTY FREDDY PADILLA appearing by attorney Mary Pat Barry, Senior Deputy County Counsel for the County of Santa Barbara. Trial commenced on December 9, 2014 and the jury returned a verdict on December 17, 2014.

FINAL JUDGMENT REGARDING DEFENDANT DEPUTY FREDDY PADILLA [PROPOSED]

1 As to Plaintiff JAY RUSSELL SHAFER's Fourth Amendment claim of
2 unlawful arrest, brought under 42 U.S.C. § 1983, the jury rendered a verdict
3 finding that Defendant DEPUTY FREDDY PADILLA's arrest of Plaintiff JAY
4 RUSSELL SHAFER was lawful.

5 As to Plaintiff JAY RUSSELL SHAFER's Fourth Amendment claim of
6 excessive force, brought under 42 U.S.C. § 1983, the jury rendered a verdict
7 finding that Defendant DEPUTY FREDDY PADILLA used excessive force
8 against Plaintiff JAY RUSSELL SHAFER.

9 As to Plaintiff JAY RUSSELL SHAFER's claim that Defendant
10 DEPUTY FREDDY PADILLA violated his First Amendment right to free
11 speech, brought under 42 U.S.C. § 1983, the jury rendered a verdict finding that
12 Defendant DEPUTY FREDDY PADILLA did not violate Plaintiff JAY
13 RUSSELL SHAFER's First Amendment right.

14 As to Plaintiff JAY RUSSELL SHAFER's Fourth Amendment claim that
15 Defendant DEPUTY FREDDY PADILLA maliciously prosecuted him, brought
16 under 42 U.S.C. § 1983, the jury rendered a verdict finding that Defendant
17 DEPUTY FREDDY PADILLA did not maliciously prosecute Plaintiff JAY
18 RUSSELL SHAFER.

19 The jury further rendered its verdict that Plaintiff JAY RUSSELL
20 SHAFER suffered damages as follows: economic damages in the amount of
21 forty-five thousand dollars (\$45,000) and non-economic damages in the amount
22 of seventy-five thousand dollars (\$75,000).
23

24 The jury further rendered its verdict that Defendant DEPUTY FREDDY
25 PADILLA acted with malice, oppression, or in reckless disregard of Plaintiff
26 JAY RUSSELL SHAFER's rights. The jury assessed zero dollars (\$0) in
27 punitive damages against Defendant DEPUTY FREDDY PADILLA.
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

THEREFORE, IT IS HEREBY ORDERED as follows:

1. That final judgment, pursuant to Federal Rules of Civil Procedure, Rule 54, be entered in favor of Plaintiff JAY RUSSELL SHAFER on his Fourth Amendment claim for excessive force brought against Defendant DEPUTY FREDDY PADILLA;

2. That final judgment, pursuant to Federal Rules of Civil Procedure, Rule 54, be entered in favor of Defendant DEPUTY FREDDY PADILLA on Plaintiff JAY RUSSELL SHAFER’s Fourth Amendment claims for unlawful arrest and malicious prosecution and on Plaintiff JAY RUSSELL SHAFER’s First Amendment claim for violation of free speech;

3. That Plaintiff JAY RUSSELL SHAFER take damages pursuant to the jury’s verdict; and

4. That Plaintiff JAY RUSSELL SHAFER recover his costs of suit other than attorney’s fees.

IT IS SO ORDERED.

Dated: December 22, 2014

/s/
HONORABLE FERNANDO M. OLGUIN
United States District Judge
Central District of California