

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 22-10754

Non-Argument Calendar

SCOTT THOMPSON,

Plaintiff-Appellant,

versus

SHERIFF, PINELLAS COUNTY FL,

SEAN GILROY,

individually,

RANDY SHEPHERD,

individually,

Defendants-Appellees,

2

Opinion of the Court

22-10754

DEPUTY LEWIS,
individually,

Defendant.

Appeal from the United States District Court
for the Middle District of Florida
D.C. Docket No. 8:20-cv-03039-SCB-AAS

Before LAGOA, BRASHER, and ANDERSON, Circuit Judges.

PER CURIAM:

Scott Thompson appeals the district court's grant of summary judgment in favor of Defendants, which rejected Thompson's claims of excessive force and battery against deputy sheriffs Randy Shepherd and Sean Gilroy, and his state law claim against Sheriff Gualtieri for vicarious liability for the alleged battery committed by Shepherd and Gilroy. After careful review of the briefs and relevant parts of the record (including videos of the entire incident), we are in full agreement with the comprehensive order of the district court dated February 10, 2022, granting summary judgment for all three defendants. We adopt the district court's order and affirm on the basis thereof.

22-10754

Opinion of the Court

3

We agree with the district court that Thompson’s version of the events is “blatantly contradicted” by the videos. Accordingly, we agree with the district court that the facts of this case should be viewed as depicted in the videos. And, when Thompson—actively resisting being handcuffed—stood on the chair with his body leaning over the wall, no reasonable officer in these deputies’ shoes would have concluded that the subsequent takedown would be unconstitutional. Because Thompson’s claims against the deputies fail, his claim of vicarious liability on the part of the Sheriff also fails.

For the foregoing reasons and for the reasons set out in the district court’s order, the judgment of the district court is

AFFIRMED.