

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 14-1257**

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FRANCIS GERARD HALL,

Plaintiff - Appellant,

v.

SHAWN R. EFIMENCO,

Defendant - Appellee.

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Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Claude M. Hilton, Senior District Judge. (1:13-cv-00689-CMH-IDD)

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Submitted: October 29, 2014

Decided: November 4, 2014

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Before MOTZ and AGEE, Circuit Judges, and DAVIS, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Dale Edwin Sanders, Alexandria, Virginia; Patricia A. Smith, LAW OFFICES OF PATRICIA A. SMITH, Alexandria, Virginia, for Appellants. Alexander Francuzenko, Broderick C. Dunn, COOK CRAIG & FRANCUZENKO, PLLC, Fairfax, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Francis Gerard Hall appeals the district court's order granting summary judgment to Defendant, a Stafford County Sheriff's Deputy, in this action under 42 U.S.C. § 1983 (2012). Hall alleged that his constitutional rights were violated when he was arrested pursuant to a warrant obtained by Defendant that was not supported by probable cause. We "review de novo a district court's award of summary judgment, viewing the facts and inferences reasonably drawn therefrom in the light most favorable to the nonmoving party." Woollard v. Gallagher, 712 F.3d 865, 873 (4th Cir.), cert. denied, 134 S. Ct. 422 (2013). "Summary judgment is appropriate only if the record shows 'that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.'" Id. (quoting Fed. R. Civ. P. 56(a)).

We have reviewed the record and find, based on the undisputed material facts, that the district court correctly found that probable cause supported the arrest warrant obtained by Defendant, as the facts and circumstances within Defendant's knowledge supported his reasonable belief that Hall had impersonated a fire marshal in violation of Virginia law. Thus, the court properly found that Defendant was entitled to qualified immunity. See Pearson v. Callahan, 555 U.S. 223, 231 (2009) (noting that protection of qualified immunity applies

regardless of whether government official's error constitutes a mistake of law, fact or a mistake based on a mixed question of law and fact). Accordingly, we affirm the grant of summary judgment to Defendant for the reasons stated by the district court. Hall v. Efimenco, No. 1:13-cv-00689-CMH-IDD (E.D. Va. Feb. 21, 2014). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED