

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 15-30609
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

January 20, 2016

Lyle W. Cayce
Clerk

DONALD DOMINICK,

Plaintiff - Appellee

v.

TODD BARRERE; LIEUTENANT PATRICK COCHRAN,

Defendants - Appellants

Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 3:12-CV-497

Before REAVLEY, SMITH, and HAYNES, Circuit Judges.

PER CURIAM:*

The judgment of the district court is affirmed with the following response to defense objections.

These parties are well informed on what the law allows state officers for qualified immunity; and if essential facts are known, the decision about the defense is for the judge to decide. The judge here had evidence of intended

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

No. 15-30609

malicious harm inflicted on plaintiff by defendants, and that question was put to a jury.

The jury found that defendants used excessive force, acting with “malice, willfully, intentionally or with callous and reckless indifference to Plaintiff’s constitutional rights.”

The district judge made no legal error or abuse of discretion.

AFFIRMED.