

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

CHRISTIAN PAYAN,

Plaintiff,

vs.

COUNTY OF LOS ANGELES, et al.,

Defendants.

Case No.: 2:14-CV-07360-SVW(JEM)

Deemed related to

2:14-CV-08036-SVW-(JEM)

**~~PROPOSED~~ JUDGMENT ON
SPECIAL VERDICT AFTER JURY
TRIAL**

HON. STEPHEN V. WILSON

Courtroom: 6
Trial: Mar. 17, 2015
Action Filed: Aug. 12, 2014
Removal: Sep. 19, 2014

The court previously granted Summary Judgment in favor of Defendants on Plaintiff's First Cause of Action for Conspiracy, Third Cause of Action for Excessive Use of Force and Fifth Cause of Action for Municipal Liability and Bifurcated and Deferred Plaintiff's state law causes of action pending jury trial of the remaining federal claims. The remaining federal causes of action: Second Cause of Action for Unreasonable Search and Seizure and Fourth Cause of Action for Violation of Due Process, came on regularly for trial on March 17, 2015 in

1 Courtroom 6 of the above-entitled United States District Court, Central District of
2 California, the Honorable Stephen v. Wilson, Judge Presiding.

3 Plaintiff CHRISTIAN PAYAN appeared by attorneys Gilbert Saucedo and
4 Humberto Diaz. Defendants, DET. OMAR MIRANDA, DEPUTY JASON PUGA
5 and DEPUTY EDWARD MARTINEZ appeared by attorneys Ashlee P. Clark and
6 Janet L. Keuper.

7 A jury of 8 persons was regularly impaneled and sworn. Witnesses were
8 sworn and testified. Following presentation of evidence, the Court granted
9 NONSUIT as to Defendant, DET. OMAR MIRANDA. The jury was thereafter
10 duly instructed by the Court. After arguments of counsel, the cause was submitted
11 to the jury with directions to return a verdict on special issues. The jury
12 deliberated and thereafter returned into Court with its verdict consisting of the
13 issues submitted to the jury, and the answers given thereto by the jury, which said
14 in words and figures as follows, to-wit:

15 **JUDGMENT ON SPECIAL VERDICT**

16 “TITLE OF THE COURT AND CAUSE”

17 The jury unanimously answers the following questions:

18 1. Fourth Amendment - Unreasonable Search

19 “Do you find by a preponderance of the evidence that Christian
20 Payan’s Fourth Amendment right to be free from an unreasonable search was
21 violated?”

22 Answer: No

23 2. Fourth Amendment - Unreasonable Seizure

24 “Do you find by a preponderance of the evidence that Christian Payan’s
25 Fourth Amendment right to be free from an unreasonable seizure of his person?”

26 Answer: No

27 “Do you find by a preponderance of the evidence that Christian Payan’s
28 Fourth Amendment right to be free from an unreasonable seizure of his property?”

1 Answer: No

2 “Do you find by a preponderance of the evidence that Christian
3 Payan’s Fourth Amendment right to be free from an unreasonable seizure of his
4 person?”

5 Answer: No”

6 ***


7 Dated: 3/19/15 _____ /s/

8 Jury Foreperson

9 By reason of said special jury verdict, Defendants, DEPUTY JASON PUGA
10 and DEPUTY EDWARD MARTINEZ are entitled to Judgment against Plaintiff
11 CHRISTIAN PAYAN.

12 Now, therefore, it is **ORDERED, ADJUDGED AND DECREED** that
13 Plaintiff CHRISTIAN PAYAN have and recover nothing by reason of each of his
14 federal claims set forth in his Complaint against Defendants, DEPUTY JASON
15 PUGA, DEPUTY EDWARD MARTINEZ and DET. OMAR MIRANDA, and that
16 Defendants DEPUTY JASON PUGA, DEPUTY EDWARD MARTINEZ and
17 DET. OMAR MIRANDA shall recover costs in accordance with Local Rule 54.
18 The Court, having resolved all federal claims, declines to entertain the
19 supplemental state law claims and dismisses those claims without prejudice. [Dkt.
20 65.]

21
22 Dated: April 15, 2015



HON. STEPHEN V. WILSON
United States District Court Judge

23
24
25
26
27
28