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JS-6

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

BARBARA PADILLA AND  
MARIO CEJA,

Plaintiffs,

v.

CITY OF ANAHEIM, ANAHEIM  
POLICE DEPARTMENT, AND  
DOE OFFICERS OF THE  
ANAHEIM POLICE  
DEPARTMENT, AND DOES 1  
through 10, Inclusive,,

Defendants.

Case No.: SACV12-622 JVS(JPRx)

Assigned to: Hon. James V. Selna  
Dept.: 10C

**JUDGMENT ON JURY VERDICT**

Trial Date: September 24, 2013  
Time: 9:00 a.m.  
Place: Ctrm. 10C

Action Filed: 4/20/12  
Trial Date: 9/24/13

OFFICE OF THE CITY ATTORNEY  
CITY OF ANAHEIM  
200 S. ANAHEIM BOULEVARD, SUITE 356  
ANAHEIM, CALIFORNIA 92805  
(714) 765-5169  
FAX (714) 765-5123

1 This action came on regularly for trial on September 24, 2013 in  
2 Courtroom 10C of the United States District Court, the Hon. James V. Selna,  
3 presiding; the Plaintiffs appeared by attorney Federico Sayre, Sayre & Levitt,  
4 LLP, and the Defendants appeared by attorney Moses W. Johnson, IV, Assistant  
5 City Attorney.

6 A jury of 8 persons was regularly impaneled and sworn. Witnesses were  
7 sworn and testified. After hearing the evidence and arguments of counsel, the  
8 jury was duly instructed by the Court and the cause was submitted to the jury  
9 with directions to return a special verdict. The jury deliberated and thereafter  
10 returned into Court with its verdict as follows:

11  
12 1. Did Plaintiffs prove by a preponderance of the evidence that Officer  
13 Garcia violated Marcel Ceja's civil rights under federal law or his rights under  
14 state law through the use unreasonable (excessive) force in arresting or detaining,  
15 preventing the escape of, or overcoming the resistance of, Marcel Ceja?

16  
17 \_\_\_\_\_ Yes                        X   No

18  
19 2. Did Plaintiffs prove by a preponderance of the evidence that Officer  
20 Garcia violated the Fourteenth Amendment by acting maliciously and  
21 sadistically for the purpose of causing harm to Marcel Ceja unrelated to the  
22 legitimate law enforcement purposes of taking him into custody, arrest or self-  
23 defense?

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25 \_\_\_\_\_ Yes                        X   No

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3. Did Plaintiffs prove by a preponderance of the evidence that Officer Garcia was negligent in using deadly force under the totality of the circumstances?

\_\_\_\_\_ Yes                        X   No

It appearing by reason of said verdict that: Defendants are entitled to judgment against Plaintiff.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that said Plaintiff take nothing by their complaint filed herein on April 20, 2012 and September 27, 2012, and that Defendants City of Anaheim and David Garcia have and recover from Plaintiff, their costs to be awarded at a later date.

Dated: October 07, 2013



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HON. JAMES V. SELNA  
United States Judge