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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SEAN PATRICK REARDON,
Plaintiff,
v.
CITY OF CHICO, et al.,
Defendants.

No. 2:15-CV-02410-MCE-CMK

ORDER

By way of this action, Plaintiff Sean Patrick Reardon (“Plaintiff”) seeks to recover from Defendants for injuries sustained when City of Chico police officers purportedly utilized excessive force during the course of Plaintiff’s arrest. Defendants have now moved for summary judgment arguing, among other things, that Plaintiff’s federal excessive force claim is barred under the doctrine set forth in Heck v. Humphrey, 512 U.S. 477 (1994), because Plaintiff sustained a felony conviction for resisting an executive officer in violation of California Penal Code section 69 based on the same incident underlying his current Complaint.¹ Plaintiff does not oppose Defendant’s Heck argument on the merits and argues in response only that he has appealed from his convictions and that a reversal would negate Defendants’ contention.

¹ Plaintiff was also convicted of a misdemeanor hit and run under California Vehicle Code section 2002(a).

