

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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TIMOTHY DUBOIS,

Plaintiff,

17 **CIVIL** 7771 (NSR)

-against-

JUDGMENT

CITY OF WHITE PLAINS; DETECTIVE JIM TASSONE, *Individually and in His Official Capacity as a Police Officer Employed by the City of White Plains*; POLICE OFFICER JAHMAR CUNNINGHAM, *Individually and in His Official Capacity as a Police Officer Employed by the City of White Plains*,

Defendants.

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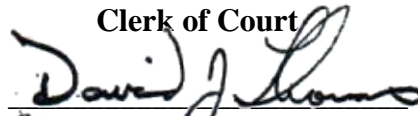
It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated March 39, 2021, Defendants' motion for summary judgment in GRANTED in part and DENIED in part, and Plaintiff's motion for summary judgment is DENIED. The surviving claims are as follows: (1) Plaintiff's false arrest claims pursuant to both federal and state law against Officer Cunningham and (2) Plaintiff's abuse of process state law claim solely to the extent it is predicated upon the issuance of process prior to the Felony Hearing as against Officer Cunningham and Det. Tassone. Likewise, to the extent Plaintiff pled a Section 1983 procedural due process claim, it is dismissed with prejudice. The Court grants Defendants' motion for summary judgment with respect to Plaintiff's (I) Section 1985 claims, (II) Section 1983 claims for: (A) substantive due process, (B) malicious prosecution, (C) entrapment, (D) Sixth Amendment right to speedy trial; and (E) Fourth Amendment illegal search and seizure; and (III) state law claim for malicious prosecution to the extent it was pleaded. The Court further grants Defendants' motion for summary judgment with respect to municipal liability claims asserted against the City of White Plains

Dated: New York, New York
March 31, 2021

RUBY J. KRAJICK

Clerk of Court

BY:


Deputy Clerk