

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

DOMINICK GREEN,

*Plaintiff,*

v.

R ROSE, et al.,

*Defendants.*

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Civil Action No. 3:24-CV-0337-X

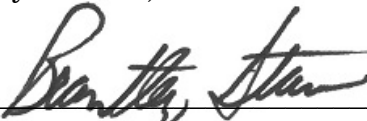
**MEMORANDUM OPINION AND ORDER**

Before the Court is Defendants R Rose, C Pabst, and City of Mesquite, Texas's motion to dismiss. (Doc. 8). Having reviewed the motion, the applicable law, and Plaintiff Dominick Green's complaint, the Court concludes that there are not enough facts for it to consider the defendants' qualified immunity defense. Thus, the Court is not ruling on the qualified immunity defense at this juncture. And the Court also cannot rule on the veracity of Green's *Monell* claims against the City of Mesquite before it is able to determine whether there was a constitutional violation in this case.

Instead, the Court **ORDERS** the parties to conduct limited discovery regarding the defendants' qualified immunity defense within 30 days of entry of this order. Any motions for summary judgment based on qualified immunity shall be filed no later than 60 days after the close of that limited discovery.

Accordingly, the Court **DENIES WITHOUT PREJUDICE** to refiling the motion to dismiss. (Doc. 8).

**IT IS SO ORDERED** this 4th day of June, 2024.

  
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BRANTLEY STARR  
UNITED STATES DISTRICT JUDGE