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2  
3 UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

4 LILIANA M. MESKE,

No. 2:15-cv-00359-SMJ

5  
6 Plaintiff,

7 v.

**ORDER DENYING  
DEFENDANTS' MOTION FOR  
DISMISSAL OF DEFENDANT  
ASOTIN COUNTY SHERIFF'S  
DEPARTMENT**

8 AMANDA RENZELMAN,  
individually and in her official capacity;  
9 DON W. ANDERSON, individually  
and in his official capacity; ASOTIN  
10 COUNTY SHERIFF'S  
DEPARTMENT; ASOTIN COUNTY,  
a political subdivision of the State of  
11 Washington; and DOES 1-10,

12 Defendants.

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14 Defendants move to dismiss Defendant Asotin County Sheriff's Office.  
15 ECF No. 32. Defendants argue that the Sheriff's Department is not an independent  
16 entity capable of being sued. ECF No. 32 at 3-4. "It is beyond dispute that a local  
17 governmental unit or municipality can be sued as a 'person' under section 1983."  
18 *Hervey v. Estes*, 65 F.3d 784, 791 (9th Cir. 1995). This includes county sheriff's  
19 departments. *See Jackson v. Barnes*, 749 F.3d 755, 766 (9th Cir. 2014) (holding  
20 that Sheriff's Department was subject to suit under § 1983 for its investigative  
activities).

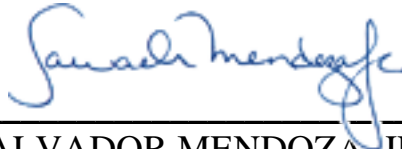
ORDER - 1

1 Accordingly, **IT IS HEREBY ORDERED:**

2 **1.** Defendants' Motion for Dismissal of Defendant Asotin County  
3 Sheriff's Department, **ECF No. 32**, is **DENIED**.

4 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order  
5 and provide copies to all counsel.

6 **DATED** this 4<sup>th</sup> day of August 2017.

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SALVADOR MENDOZA, JR.  
9 United States District Judge