

SUPREME COURT OF TEXAS

Wal-Mart Stores, Inc. v. Rodriguez

92 S.W.3d 502 (Tex. 2002) · No. No. 01-0643 · Decided October 10, 2002

SUMMARY

The Supreme Court of Texas held that Wal-Mart could not be liable for false imprisonment based solely on its failure to disclose that its check-identification system might provide inaccurate information. Liability for instigating an arrest requires knowingly providing false information to law enforcement that results in the arrest; incomplete or negligently inaccurate information is insufficient. The court reversed the court of appeals in part and rendered judgment for Wal-Mart.

CASE DETAILS

COURT	Supreme Court of Texas
WRITING FOR THE COURT	Justice Enoch
JURISDICTION	Texas
DECIDED	October 10, 2002
DOCKET	No. 01-0643
DISPOSITION	reversed
PROCEDURAL POSTURE	Rodriguez sued Wal-Mart for several tort and statutory claims, including false imprisonment. The trial court granted Wal-Mart traditional and no-evidence summary judgment on all claims then remaining except unfair debt collection, which Rodriguez nonsuited. The court of appeals affirmed except as to false imprisonment, reversing the summary judgment on that claim. The Supreme Court of Texas reviewed the false-imprisonment claim and rendered judgment for Wal-Mart.
STANDARD OF REVIEW	For a no-evidence summary judgment, the court views the record in the light most favorable to the nonmovant and asks whether the nonmovant produced more than a scintilla of evidence raising a genuine issue of material fact on the challenged element. Summary judgment is proper when no genuine issue of material fact exists and the movant is entitled to judgment as a matter of law.
PRECEDENTIAL VALUE	Published, precedential opinion of the Supreme Court of Texas
PARTIES	Wal-Mart Stores, Inc. v. Martin Rodriguez

TOPICS

false imprisonment summary judgment torts civil procedure

PRACTICE AREAS

torts civil procedure commercial litigation remedies

QUESTIONS PRESENTED

1. Whether a private party instigates a false imprisonment when it reports a suspected crime to law enforcement but negligently provides inaccurate or incomplete information.
2. Whether evidence that Wal-Mart failed to disclose that its check-identification system could produce an erroneous driver's-license number raised a fact issue on willful detention.
3. Whether Wal-Mart was entitled to no-evidence summary judgment on Rodriguez's false-imprisonment claim.

HOLDINGS

1. A private party may be liable for instigating an unlawful arrest when it knowingly provides false information to law enforcement authorities and that information results in the arrest. Merely reporting a crime or identifying a suspect, without clearly directing or requesting the arrest, ordinarily does not establish instigation.
2. Negligently providing inaccurate or incomplete information to law enforcement does not make a reporting party liable for false imprisonment. The plaintiff must show that the defendant knowingly provided false information resulting in the arrest.
3. Rodriguez did not produce more than a scintilla of evidence that Wal-Mart knowingly provided false information or otherwise willfully instigated his arrest. Wal-Mart was therefore entitled to no-evidence summary judgment on the false-imprisonment claim.

KEY QUOTATIONS

"We hold that Wal-Mart cannot be held liable for false imprisonment because there is no evidence that it knowingly provided the district attorney with false information intending that Martin Rodriguez be arrested." (502)

"A private citizen who merely reports a crime and identifies the suspect to law enforcement authorities has not requested or directed the suspect's arrest, and will not be liable for instigating a subsequent false imprisonment." (507)

"A person who merely gives law enforcement authorities information may not have directed or requested a subsequent arrest. But when that person knowingly gives false information, he cannot complain if the law assumes that the subsequent arrest was made "to carry out [his] request."" (509)

"Merely providing inaccurate or incomplete information, however, will not make a party liable for instigating a subsequent false imprisonment." (511)

FACTUAL BACKGROUND

Rodriguez was arrested after a hot-check complaint submitted by Wal-Mart identified an R & C Enterprises check and listed Rodriguez's driver's-license number, which Wal-Mart's check-identification system had automatically printed on the check. The check had actually been issued and signed by R & C owner Rex Long, but Long's signature was illegible and Wal-Mart did not follow its policy requiring additional identification information. Wal-Mart submitted the returned check and complaint to the district attorney's office, but no Wal-Mart employee participated in Rodriguez's arrest or detention. Rodriguez alleged that Wal-Mart's failure to disclose the possible inaccuracy of its identification system caused his arrest.

PROCEDURAL HISTORY

After Rodriguez's criminal charges were dismissed, he sued Wal-Mart. The trial court granted Wal-Mart summary judgment on the claims at issue, and Rodriguez nonsuited his remaining unfair-debt-collection claim. The court of appeals reversed as to false imprisonment but otherwise affirmed. The Texas Supreme Court reversed that portion of the court of appeals' judgment and rendered judgment for Wal-Mart.

DISPOSITION

reversed

CASES CITED

- *Sears, Roebuck & Co. v. Castillo*, 693 S.W.2d 374 (Tex. 1985)
- *Morgan v. Anthony*, 27 S.W.3d 928 (Tex. 2000)
- *Flameout Design & Fabrication, Inc. v. Pennzoil Caspian Corp.*, 994 S.W.2d 830 (Tex. App.—Houston [1st Dist.] 1999, no pet.)
- *Elliott v. Methodist Hosp.*, 54 S.W.3d 789 (Tex. App.—Houston [1st Dist.] 2001, pet. denied)
- *Joske v. Irvine*, 91 Tex. 574, 44 S.W. 1059 (1898)
- *Sparkman v. Peoples National Bank of Tyler*, 501 S.W.2d 739 (Tex. Civ. App.—Tyler 1973, writ ref'd n.r.e.)
- *J.C. Penney Co. v. Reynolds*, 329 S.W.2d 104 (Tex. Civ. App.—El Paso 1959, writ ref'd n.r.e.)
- *Texas Midland Railroad v. Dean*, 98 Tex. 517, 85 S.W. 1135 (1905)
- *Regan v. Jessup*, 34 Tex. Civ. App. 74, 77 S.W. 972 (1903)
- *Smith v. Sneed*, 938 S.W.2d 181 (Tex. App.—Austin 1997, no pet.)
- *Schnauffer v. Price*, 124 S.W.2d 940 (Tex. Civ. App.—Texarkana 1939, writ ref'd)
- *Halbert v. City of Sherman*, 33 F.3d 526 (5th Cir. 1994)
- *Armstead v. Escobedo*, 488 F.2d 509 (5th Cir. 1974)
- *Lewis v. Farmer Jack Division, Inc.*, 415 Mich. 212, 327 N.W.2d 893 (1982)
- *Browning-Ferris Industries, Inc. v. Lieck*, 881 S.W.2d 288 (Tex. 1994)
- *Leon's Shoe Stores, Inc. v. Hornsby*, 306 S.W.2d 402 (Tex. Civ. App.—Waco 1957, no writ)
- *Dayton Hudson Corp. v. Eldridge*, 742 S.W.2d 482 (Tex. App.—Dallas 1987, writ denied)

