

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Riaz v. Henry

No. 1:21-cv-00911-KES-SKO (E.D. Cal. July 28, 2025) · No. 1:21-cv-00911-KES-SKO · Decided July 29, 2025

SUMMARY

The United States District Court for the Eastern District of California denied Samreen Riaz’s motion for a new trial following a jury verdict for the defendants in her civil rights and state-law action arising from her temporary mental health detention. The court held that Riaz’s disagreements with her former attorney’s trial strategy and alleged omissions did not establish grounds for a new trial under Federal Rule of Civil Procedure 59(a), and noted that ineffective assistance of counsel is not a claim in a civil case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	July 29, 2025
DOCKET	1:21-cv-00911-KES-SKO
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for a new trial under Federal Rule of Civil Procedure 59(a) after a jury returned a unanimous verdict for defendants. The court denied the motion.
STANDARD OF REVIEW	A district court has considerable discretion on a Rule 59 motion and may weigh the evidence and assess witness credibility. A new trial is appropriate if, after giving full respect to the jury's findings, the judge is left with the definite and firm conviction that a mistake was committed.
PRECEDENTIAL VALUE	unpublished

TOPICS

- motion for new trial
- appellate jurisdiction
- civil procedure
- civil rights
- appellate procedure

PRACTICE AREAS

- civil procedure
- civil rights
- appellate procedure
- remedies

QUESTIONS PRESENTED

1. Whether the district court retained jurisdiction to decide Riaz's Rule 59 motion after she filed a notice of appeal.
2. Whether a civil litigant is entitled to a new trial based on disagreement with or alleged inadequacy in the trial strategy and tactical decisions of chosen counsel.
3. Whether Riaz identified an adequate basis for a new trial under Federal Rule of Civil Procedure 59(a).

HOLDINGS

1. The district court retained jurisdiction because the motion for a new trial was filed before the notice of appeal, making the notice of appeal effective only when the district court entered its order on the motion.
2. A civil litigant is not entitled to a new trial merely because she disagrees with her attorney's trial strategy and tactical decisions or alleges inadequate counsel; alleged attorney misconduct generally provides a potential malpractice remedy rather than a basis for a new trial.
3. Riaz did not establish grounds for a new trial, and her motion was denied.

KEY QUOTATIONS

"If, having given full respect to the jury's findings, the judge on the entire evidence is left with the definite and firm conviction that a mistake has been committed." (at 2)

"a party does not have any right to a new trial in a civil suit because of inadequate counsel, but has as its remedy a suit against the attorney for malpractice" (at 2)

FACTUAL BACKGROUND

Riaz sued Nathan Henry, Art Alvarez, Edwin Canto, Ernest Ceballos, the City of Visalia, and the County of Tulare over her seizure and detention under California Welfare and Institutions Code § 5150. The case proceeded to a jury trial, and the jury returned a unanimous verdict for defendants. Riaz alleged that her trial attorney failed to pursue various evidence, witness, voir dire, record-correction, jury-instruction, verdict-form, and disclosure-related matters, and she argued that those alleged failures justified a new trial.

PROCEDURAL HISTORY

Riaz brought federal civil-rights claims under 42 U.S.C. § 1983 and state-law claims arising from her seizure and detention on a California Welfare and Institutions Code § 5150 mental-health hold. Following trial, the jury returned a unanimous verdict for defendants on April 7, 2025. After her trial counsel withdrew, Riaz proceeded pro se and moved for a new trial; she also filed a notice of appeal after filing the new-trial motion.

DISPOSITION

other

CASES CITED

- *Morris v. Morgan Stanley & Co.*, 942 F.2d 648, 654 (9th Cir. 1991)
- *Molski v. M.J. Cable, Inc.*, 481 F.3d 724, 728 (9th Cir. 2007)
- *Montgomery Ward & Co. v. Duncan*, 311 U.S. 243, 251 (1940)
- *Jorgenson v. Cassiday*, 320 F.3d 906, 918 (9th Cir. 2003)
- *Murphy v. City of Long Beach*, 914 F.2d 183, 186 (9th Cir. 1990)
- *Landes Constr. Co. v. Royal Bank of Can.*, 833 F.2d 1365, 1371-72 (9th Cir. 1987)
- *Simplicity Int'l v. Genlabs Corp.*, No. CV 09-06146 SVW (RCx), 2010 WL 11515267, at *3 (C.D. Cal. Sept. 9, 2010)
- *Mekdeci v. Merrell Nat'l Laboratories*, 711 F.2d 1510, 1522-23 (11th Cir. 1983)
- *Pioneer Inv. Servs. Co. v. Brunswick Assocs. Ltd. P'ship*, 507 U.S. 380, 397 (1993)
- *Casey v. Albertson's Inc.*, 362 F.3d 1254, 1260 (9th Cir. 2004)
- *Zamani v. Carnes*, 491 F.3d 990, 997 (9th Cir. 2007)
- *Nicholson v. Rushen*, 767 F.2d 1426, 1427 (9th Cir. 1985)