

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Raymond E. Echevarria v. Darrin Jackson, et al.

Echevarria · No. No. 25-1271 · Decided June 16, 2026

SUMMARY

The Seventh Circuit affirmed summary judgment for Forest Preserve police officers and the Forest Preserve District in Raymond Echevarria’s action under 42 U.S.C. § 1983 and Illinois law. The court held that probable cause supported the detention, vehicle seizure, and malicious prosecution claims, and that the officer’s insulting comments did not constitute intentional infliction of emotional distress under Illinois law.

CASE DETAILS

COURT	United States Court of Appeals for the Seventh Circuit
WRITING FOR THE COURT	Ripple; Scudder; St. Eve
JURISDICTION	United States Court of Appeals for the Seventh Circuit
DECIDED	June 16, 2026
DOCKET	No. 25-1271
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the district court's grant of summary judgment to the defendants on claims under 42 U.S.C. § 1983 and Illinois tort law.
STANDARD OF REVIEW	Summary judgment is reviewed de novo. Ordinarily, the facts are viewed in the light most favorable to the nonmoving party, but when a party fails to comply with Local Rule 56.1 and does not challenge the resulting ruling on appeal, properly admitted opposing facts are treated as admitted.
PRECEDENTIAL VALUE	Published Seventh Circuit opinion; precedential
PARTIES	Raymond E. Echevarria v. Darrin Jackson, Cynthia Spina, Forest Preserve District of Cook County, Illinois

TOPICS

- section 1983
- civil rights
- police misconduct
- appellate procedure
- standard of review

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the officers had probable cause to detain Echevarria for suspected public indecency, defeating his Fourth Amendment unlawful-seizure and Illinois malicious-prosecution claims.
2. Whether the officers had probable cause to seize and tow Echevarria's vehicle under the Forest Preserve District ordinance and the Fourth Amendment.
3. Whether the Forest Preserve District could be liable under Monell absent an underlying constitutional violation.
4. Whether the officers' crude and insulting comments, even with knowledge of Echevarria's PTSD, were sufficiently extreme and outrageous to support an Illinois intentional-infliction-of-emotional-distress claim.
5. Whether the district court properly treated defendants' Local Rule 56.1 facts as admitted after Echevarria failed to respond.

HOLDINGS

1. Because Echevarria failed to comply with Local Rule 56.1 and did not challenge that ruling on appeal, the court treated defendants' properly supported facts as admitted and reviewed the summary-judgment decision on that record.
2. Officer Jackson had probable cause to detain Echevarria because Echevarria substantially matched the reported description, was found where the caller said the suspect would be, the caller appeared to be an eyewitness willing to sign a complaint, the location was known for public indecency, and Echevarria appeared nervous.
3. Because Officer Jackson had probable cause to detain Echevarria, the Fourth Amendment unlawful-seizure claim and Illinois malicious-prosecution claim were properly dismissed on summary judgment.
4. The seizure of Echevarria's vehicle did not violate the Fourth Amendment because the officers had probable cause to believe that the vehicle was used during the commission of a qualified public-indecency violation and was therefore subject to the Forest Preserve District seizure ordinance.
5. The Forest Preserve District could not be liable under Monell because Echevarria failed to establish an underlying constitutional violation in the seizure of his vehicle.
6. Jackson's comments, although unprofessional, crude, and insulting, were not sufficiently extreme and outrageous to support an Illinois intentional-infliction-of-emotional-distress claim, even considering his knowledge of Echevarria's PTSD.

KEY QUOTATIONS

“Probable cause is an absolute defense to any claim under § 1983 for wrongful arrest” (7)

“Because Officer Jackson’s decision to seize Mr. Echevarria was supported by probable cause, Counts III and V were properly dismissed on summary judgment.” (9)

“Accordingly, a reasonable officer could conclude that the vehicle was used “during the commission” of the offense, and the seizure of his vehicle did not violate the Fourth Amendment.” (10)

“These comments, while unprofessional, crude, and insulting, would not be considered under Illinois law as “beyond the bounds of human decency”” (12)

FACTUAL BACKGROUND

A caller reported that a man had exposed himself in the Busse North area of the Forest Preserve and gave a description of the suspect, including his appearance, clothing, and gray Honda CR-V. Officer Jackson encountered Echevarria, who substantially matched the description and was at the location identified by the caller; the caller told Jackson that the suspect was still there and indicated a willingness to sign a complaint. Jackson detained Echevarria, issued him a public-indecency ordinance ticket, and, with Sergeant Spina's approval, had his vehicle towed under an ordinance permitting seizure of vehicles used during qualified violations. The caller later left, the ticket was dismissed for lack of evidence, and Echevarria brought this civil-rights and tort action.

PROCEDURAL HISTORY

Echevarria filed a five-count action alleging unreasonable seizure of his vehicle and person under the Fourth Amendment, a Monell claim against the Forest Preserve District, intentional infliction of emotional distress, and malicious prosecution. The Northern District of Illinois deemed defendants' Local Rule 56.1 facts admitted because Echevarria failed to respond to their statement of facts, considered supported facts from his own statement, and granted summary judgment to defendants on all counts. Echevarria appealed, and the Seventh Circuit affirmed.

DISPOSITION

affirmed

CASES CITED

- Wolf v. Colorado, 338 U.S. 25, 28 (1949)
- McCurry v. Kenco Logistics Services, LLC, 942 F.3d 783, 791 (7th Cir. 2019)
- Avitia v. Metropolitan Club of Chicago, Inc., 49 F.3d 1219, 1224 (7th Cir. 1995)
- Shamim v. Siemens Industries, Inc., 854 F. Supp. 2d 496, 511 (N.D. Ill. 2012)
- Russell v. Comstock, 167 F.4th 984, 988 (7th Cir. 2026)
- Raymond v. Ameritech Corp., 442 F.3d 600, 608 (7th Cir. 2006)
- Bailey v. City of Chicago, 779 F.3d 689, 694 (7th Cir. 2015)
- Fabiano v. City of Palos Hills, 784 N.E.2d 258, 265 (Ill. App. Ct. 2002)
- Abbott v. Sangamon County, 705 F.3d 706, 714 (7th Cir. 2013)
- Maryland v. Pringle, 540 U.S. 366, 371 (2003)
- Qian v. Kautz, 168 F.3d 949, 953 (7th Cir. 1999)

- United States v. Groves, 559 F.3d 637, 640-41 (7th Cir. 2009)
- Ornelas v. United States, 517 U.S. 690, 700 (1996)
- United States v. Drake, 456 F.3d 771, 775 (7th Cir. 2006)
- United States v. Lopez, 907 F.3d 472, 483 (7th Cir. 2018)
- United States v. Patton, 705 F.3d 734, 740 (7th Cir. 2013)
- Illinois v. Wardlow, 528 U.S. 119, 124 (2000)
- Muhammad v. Pearson, 900 F.3d 898, 909 (7th Cir. 2018)
- Soldal v. Cook County, 506 U.S. 56, 69 (1992)
- Bell v. City of Chicago, 835 F.3d 736, 739-40 (7th Cir. 2016)
- Florida v. White, 526 U.S. 559, 564 (1999)
- G.M. Leasing Corp. v. United States, 429 U.S. 338, 351-52 (1977)
- United States v. 1990 Toyota 4Runner, 9 F.3d 651, 653-54 (7th Cir. 1993)
- O'Donnell v. City of Chicago, 163 F.4th 411, 415 (7th Cir. 2025)
- Public Finance Corp. v. Davis, 360 N.E.2d 765, 767 (Ill. 1976)
- Harriston v. Chicago Tribune Co., 992 F.2d 697, 703 (7th Cir. 1993)
- Lopacich v. Falk, 5 F.3d 210, 212 (7th Cir. 1993)
- Kolegas v. Heftel Broadcasting Corp., 607 N.E.2d 201, 211 (Ill. 1992)
- Feltmeier v. Feltmeier, 798 N.E.2d 75, 83 (Ill. 2003)
- Lewis v. School District #70, 523 F.3d 730, 747 (7th Cir. 2008)