

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
ILLINOIS, EASTERN DIVISION

Russell D. McCullough v. Rich L. Rodriguez Jr., Victor E. Goetz, and
City of Chicago

McCullough · No. 23 C 15991 · Decided December 3, 2025

SUMMARY

The Northern District of Illinois granted summary judgment to Chicago police officers in Russell McCullough’s claims arising from his traffic stop, detention, search, arrest, and prosecution. The court held that the officers had probable cause or reasonable suspicion based on unlawful window tint, improper use of hazard lights, and McCullough’s refusal to comply with lawful orders. The court also dismissed the claims against the City of Chicago and entered judgment for all defendants.

CASE DETAILS

COURT	United States District Court for the Northern District of Illinois, Eastern Division
WRITING FOR THE COURT	Matthew F. Kennelly
JURISDICTION	United States District Court for the Northern District of Illinois
DECIDED	December 3, 2025
DOCKET	23 C 15991
DISPOSITION	other
PROCEDURAL POSTURE	The court converted defendants' opposition to plaintiff's motion for leave to file a second amended complaint into a motion for summary judgment on plaintiff's individual claims. Plaintiff opposed summary judgment.
STANDARD OF REVIEW	Summary judgment is appropriate when the movant shows that no genuine dispute of material fact exists and the movant is entitled to judgment as a matter of law. The court viewed reasonable inferences in favor of the nonmoving party, but held that summary judgment was proper where no reasonable jury could find the required facts.
PRECEDENTIAL VALUE	district court opinion; precedential status unknown
PARTIES	Russell D. McCullough v. Rich L. Rodriguez Jr., Victor E. Goetz, City of Chicago

TOPICS

summary judgment

civil rights

section 1983

constitutional law

municipal liability

PRACTICE AREAS

constitutional law

civil rights

civil procedure

municipal liability

criminal procedure

QUESTIONS PRESENTED

1. Whether the officers had probable cause or, alternatively, reasonable suspicion to seize McCullough based on observed violations of Illinois window-tinting and hazard-light statutes.
2. Whether McCullough's retaliatory-prosecution claim could survive summary judgment when probable cause existed for at least one of the charges.
3. Whether McCullough's false-arrest, malicious-prosecution, and unreasonable-search claims survived summary judgment.
4. Whether the City of Chicago could be liable under Monell when the court found no underlying constitutional violation.

HOLDINGS

1. The officers had probable cause, and therefore at least reasonable suspicion, to seize McCullough because they observed objectively apparent violations of Illinois laws governing window tinting and hazard-light use before initiating the encounter.
2. The retaliatory-prosecution claim failed because there was no genuine dispute that probable cause existed for at least one charge: willfully failing or refusing to comply with a lawful police order.
3. Summary judgment was warranted on the false-arrest and malicious-prosecution claims because McCullough expressly waived opposition, and on the unreasonable-search claim because he failed to develop an argument.
4. The court dismissed McCullough's Monell claims against the City because the absence of an underlying constitutional violation defeated municipal liability.

KEY QUOTATIONS

“The probable cause or reasonable suspicion inquiry does not center on what an officer articulated as the basis for a stop or what offenses were ultimately charged.”

“A vehicle with windows tinted so darkly that officers believed it was unoccupied and employed flashlights in broad daylight to see inside would lead a reasonable officer to believe that the vehicle's windows violated the statutory window tinting prohibition; no reasonable jury could find otherwise.”

FACTUAL BACKGROUND

McCullough was seated in his vehicle at a Chicago curb with hazard lights flashing and heavily tinted windows. Officers Rodriguez and Goetz approached, activated emergency lights, ordered him to lower his window and

exit, and ultimately removed him from the vehicle, searched it, handcuffed him, arrested him, and had the vehicle impounded. McCullough was charged with parking, tinted-window, failure-to-obey, and driver's-license offenses, but the charges were later dismissed after the officers failed to appear. The evidence showed that the officers observed the tint and hazard lights before initiating the encounter and that McCullough refused for several minutes to comply with orders to lower the window and exit.

PROCEDURAL HISTORY

McCullough sued two Chicago police officers and the City of Chicago under 42 U.S.C. § 1983, asserting individual and putative class claims arising from his search, seizure, arrest, and prosecution. The court previously denied summary judgment after finding that a reasonable jury could find no probable cause for the charged offenses and granted leave to amend. After discovery, McCullough sought leave to file a second amended complaint, defendants opposed, and the court converted the opposition into a summary-judgment motion. The court granted summary judgment to Officers Rodriguez and Goetz and dismissed the Monell claims against the City.

DISPOSITION

other

CASES CITED

- McCullough v. Rodriguez, No. 23 C 15991, 2024 WL 3791629 (N.D. Ill. Aug. 13, 2024)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248 (1986)
- Celotex Corp. v. Catrett, 477 U.S. 317, 323-24 (1986)
- Grant v. Trs. of Indiana Univ., 870 F.3d 562, 568 (7th Cir. 2017)
- Hess v. Garcia, 72 F.4th 753, 761 (7th Cir. 2023)
- Terry v. Ohio, 392 U.S. 1 (1968)
- United States v. Eymann, 962 F.3d 273, 282 (7th Cir. 2020)
- Dunaway v. New York, 442 U.S. 200, 213 (1979)
- Ewell v. Toney, 853 F.3d 911, 919 (7th Cir. 2017)
- Carmichael v. Village of Palatine, 605 F.3d 451, 457 (7th Cir. 2010)
- Devenpeck v. Alford, 543 U.S. 146, 153-54 (2004)
- United States v. Radford, 39 F.4th 377, 384 (7th Cir. 2022)
- United States v. Smith, 32 F.4th 638, 641 (7th Cir. 2022)
- United States v. Reedy, 989 F.3d 548, 552 (7th Cir. 2021)
- Towne v. Donnelly, 44 F.4th 666, 671 (7th Cir. 2022)
- Hartman v. Moore, 547 U.S. 250, 257, 259, 263 (2006)
- Chiaverini v. City of Napoleon, 602 U.S. 556, 563 (2024)
- United States v. Holm, 326 F.3d 872, 877 (7th Cir. 2003)
- Haro v. Porter County, 129 F.4th 992, 999 (7th Cir. 2025)

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