

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

J.A. v. Madera County

J.A. · No. 1:21-cv-00252-KES-EPG · Decided July 29, 2025

SUMMARY

The United States District Court for the Eastern District of California addresses defendants’ motion for summary judgment in a case arising from the fatal police shooting of Artemio Alfaro. The court denies summary judgment in part because disputed facts concerning whether Alfaro’s truck posed an immediate threat preclude determining the Fourth Amendment excessive-force claim as a matter of law. The order also considers qualified immunity and state-law battery, negligence, wrongful-death, and Bane Act claims.

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-00252-KES-EPG
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought federal constitutional claims under 42 U.S.C. § 1983 and California state-law claims arising from the fatal officer-involved shooting of her father. After the court partially denied defendants' motion to dismiss, defendants moved for summary judgment. The court granted the motion in part and denied it in part.
STANDARD OF REVIEW	Summary judgment is proper when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court views the evidence and draws reasonable inferences in favor of the nonmoving party, but need not credit a version of events blatantly contradicted by video evidence. On qualified immunity, the moving defendants bore the burden of showing both no constitutional violation and that the right was not clearly established.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order
PARTIES	J.A., a minor by her Guardian ad Litem Luz Ana Venegas, individually and as successor-in-interest to Decedent Artemio Alfaro v. Madera

TOPICS

summary judgment

qualified immunity

section 1983

police misconduct

negligence

PRACTICE AREAS

civil rights

constitutional law

police misconduct

torts

civil procedure

QUESTIONS PRESENTED

1. Whether disputed facts concerning the position and movement of Alfaro's truck and the location of the officers precluded summary judgment on Johnson's Fourth Amendment excessive-force claim.
2. Whether Johnson was entitled to qualified immunity on the Fourth Amendment excessive-force claim.
3. Whether Johnson's use of deadly force violated the Fourteenth Amendment by shocking the conscience.
4. Whether the disputed reasonableness of Johnson's use of force precluded summary judgment on the state-law battery and negligence claims against Johnson and the County's vicarious-liability claims.
5. Whether the evidence created a triable issue on Johnson's specific intent or reckless disregard under the California Bane Act.
6. Whether Majeski and Iniguez could be liable for negligent wrongful death based on their pre-shooting conduct or the vehicle pursuit.

HOLDINGS

1. Summary judgment was denied because disputed facts concerning whether Alfaro's truck was moving toward any officer or other person, or instead turning away to flee, could lead a reasonable jury to find that Johnson's use of deadly force was objectively unreasonable.
2. Johnson was not entitled to qualified immunity at summary judgment because disputed facts precluded determining whether he violated a constitutional right, and existing precedent clearly established the right not to be shot when a vehicle posed no immediate danger to officers or others.
3. Summary judgment was granted to Johnson on the Fourteenth Amendment claim because plaintiff presented no evidence that Johnson acted with a purpose to harm unrelated to legitimate law-enforcement objectives.
4. Summary judgment was denied on the battery claims against Johnson and the County because California battery liability for a peace officer's use of force turns on whether the force was unreasonable, and that issue remained triable.
5. Summary judgment was denied on the Bane Act claim against Johnson because a triable issue existed as to whether he acted with reckless disregard for plaintiff's constitutional rights.
6. Summary judgment was denied on the negligence claim against Johnson because a triable issue existed as to whether his use of deadly force was reasonable under the totality of the circumstances.

7. Summary judgment was granted on the negligence claims against Majeski and Iniguez because no reasonable jury could find that their conduct negligently created a situation that proximately caused Alfaro's death.

KEY QUOTATIONS

“The “key question” is whether Alfaro “accelerated or attempted to accelerate toward” the officers or other person before Johnson shot Alfaro.” (Opinion at 22)

“The right not to be shot in a car that poses no immediate danger to police officers or others is clearly established.” (Opinion at 24)

“A state law battery claim is a counterpart to a federal claim of excessive use of force. In both a plaintiff must prove that the peace officer’s use of force was unreasonable.” (Opinion at 29)

FACTUAL BACKGROUND

On April 29, 2020, Madera County deputies attempted to arrest Artemio Alfaro on outstanding warrants, including a robbery warrant. Alfaro fled in a truck, leading deputies on a high-speed pursuit, and later reentered the truck after resisting efforts by deputies Majeski and Iniguez to apprehend him. As Alfaro backed the truck away from the officers and appeared to turn the vehicle away from them, Deputy Johnson fired ten shots into the truck, killing Alfaro; the parties disputed whether Alfaro or the truck posed an immediate threat to the officers or others.

PROCEDURAL HISTORY

The court previously adopted findings and recommendations and dismissed some claims, allowing the case to proceed on specified Fourth and Fourteenth Amendment claims, state-law battery and negligence claims, and a California Bane Act claim. Defendants moved for summary judgment on the remaining claims. The court denied summary judgment on the Fourth Amendment claim against Johnson, the battery, negligence, and Bane Act claims against Johnson, and the County's vicarious liability for Johnson's conduct, but granted summary judgment on the Fourteenth Amendment claim against Johnson and the negligence claims against Majeski and Iniguez.

DISPOSITION

other

CASES CITED

- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248, 252 (1986)
- Matsushita Elec. Indus. Co. v. Zenith Radio Corp., 475 U.S. 574, 585-88 (1986)
- Vos v. City of Newport Beach, 892 F.3d 1024, 1028, 1031 (9th Cir. 2018)
- Soremekun v. Thrifty Payless, Inc., 509 F.3d 978, 984 (9th Cir. 2007)
- Celotex Corp. v. Catrett, 477 U.S. 317, 322-23 (1986)
- Nissan Fire & Marine Ins. Co. v. Fritz Companies, Inc., 210 F.3d 1099, 1103 (9th Cir. 2000)

- D.C. v. Wesby, 583 U.S. 48, 62-63 (2018)
- Reichle v. Howards, 566 U.S. 658, 664 (2012)
- Pearson v. Callahan, 555 U.S. 223, 231 (2009)
- Calonge v. City of San Jose, 104 F.4th 39, 44 (9th Cir. 2024)
- Torres v. City of Madera, 648 F.3d 1119, 1123-24 (9th Cir. 2011)
- Villanueva v. California, 986 F.3d 1158, 1165, 1169-70 (9th Cir. 2021)
- Hart v. City of Redwood City, 99 F.4th 543, 549 (9th Cir. 2024)
- Graham v. Connor, 490 U.S. 386, 396-97 (1989)
- Terry v. Ohio, 392 U.S. 1, 20-22 (1968)
- S.R. Nehad v. Browder, 929 F.3d 1125, 1132-33, 1139-40 (9th Cir. 2019)
- Est. of Aguirre v. Cnty. of Riverside, 29 F.4th 624, 628 (9th Cir. 2022)
- Gonzalez v. City of Anaheim, 747 F.3d 789, 793-94 (9th Cir. 2014)
- Mattos v. Agarano, 661 F.3d 433, 441 (9th Cir. 2011) (en banc)
- Bryan v. MacPherson, 630 F.3d 805, 826 (9th Cir. 2010)
- Orn v. City of Tacoma, 949 F.3d 1167, 1174, 1178, 1180 (9th Cir. 2020)
- Monzon v. City of Murrieta, 978 F.3d 1150, 1153-59 (9th Cir. 2020)
- Wilkinson v. Torres, 610 F.3d 546, 549, 551-54 (9th Cir. 2010)
- Longoria v. Pinal Cnty., 873 F.3d 699, 706 & n.5 (9th Cir. 2017)
- Est. of Strickland v. Nevada County, 69 F.4th 614, 621 (9th Cir. 2023)
- Acosta v. City & Cnty. of S.F., 83 F.3d 1143, 1146-48 (9th Cir. 1996)
- Adams v. Speers, 473 F.3d 989, 991-92, 994 (9th Cir. 2007)
- Peck v. Montoya, 51 F.4th 877, 890, 893-94 (9th Cir. 2022)
- A.D. v. California Highway Patrol, 712 F.3d 446, 453 (9th Cir. 2013)
- Ochoa v. City of Mesa, 26 F.4th 1050, 1057 (9th Cir. 2022)
- Edson v. City of Anaheim, 63 Cal. App. 4th 1269, 1273 (1998)
- Garlick v. Cnty. of Kern, 167 F. Supp. 3d 1117, 1177-78 (E.D. Cal. 2016)
- Brown v. Ransweiler, 171 Cal. App. 4th 516, 527, 537 (2009)
- Allen v. City of Sacramento, 234 Cal. App. 4th 41, 67 (2015)
- Reese v. Cnty. of Sacramento, 888 F.3d 1030, 1043, 1045 (9th Cir. 2018)
- Hayes v. Cty. of San Diego, 57 Cal. 4th 622, 629 (2013)
- Nally v. Grace Community Church, 47 Cal. 3d 278, 292 (1988)
- A.G.1 by & through Uribe v. City of Fresno, No. 1:16-cv-01914-NONE-SAB, 2021 WL 4502949, at *2 (E.D. Cal. Oct. 1, 2021)
- Koussaya v. City of Stockton, 54 Cal. App. 5th 909, 941-42 (2020)
- Golick v. State of California, 82 Cal. App. 5th 1127, 1142 (2022)
- Est. of Smith v. Holslag, No. 16-CV-2989-WQH-MSB, 2020 WL 7863428, at *12-14 (S.D. Cal. Dec. 31, 2020)

- Dorger v. City of Napa, No. 12-CV-00440-WHO, 2013 WL 5804544, at *10 (N.D. Cal. Oct. 24, 2013)
- Mendez v. Cnty. of Los Angeles, 897 F.3d 1067, 1076 (9th Cir. 2018)
- Simplis v. Culver City Police Dep't, No. 2:10-cv-09497-JHN-MAN, 2012 WL 12892166, at *7 (C.D. Cal. Apr. 30, 2012)

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