

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Cardenas Limon v. City of Tualatin

Cardenas Limon · No. 3:26-cv-291-SI · Decided May 29, 2026

SUMMARY

The United States District Court for the District of Oregon grants Defendants' motion to dismiss without prejudice in a civil rights action alleging a Fifth Amendment violation under 42 U.S.C. § 1983. The court permits Plaintiff to file an amended complaint within two weeks and states that judgment will be entered for Defendants if a sufficient amended complaint is not filed by June 15, 2026.

OPINION

Cardenas Limon v. City of Tualatin

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

JUAN JOSE CARDENAS LIMON, Case No. 3:26-cv-291-SI Plaintiff, ORDER v.

CITY OF TULATIN; OFFICER KELSEY

WILKINSON; and OFFICER ELI FULTS,

Defendants. Michael H. Simon, District Judge. Plaintiff filed this civil rights lawsuit on February 13, 2026, alleging that Defendants violated his Fifth Amendment right against self-incrimination in violation of 42 U.S.C. § 1983. On April 14, 2026, Defendants filed a motion to dismiss the suit. ECF 6. Plaintiff had two weeks to respond to the motion, which was April 28, 2026. See Fed. R. Civ. P. 7; L.R. 7-1(e)(1). That deadline has long passed without any response from Plaintiff. The Court has reviewed Defendants' Motion to Dismiss and finds Defendants' position well stated. See also Vega v. Tekoh, 597 U.S. 134 (2022) (holding that an officer's failure to give Miranda warnings to a suspect in custody does not, by itself, provide a basis for a claim of civil liability under 42 U.S.C. § 1983). The Court GRANTS Defendants' Motion to Dismiss (ECF 6) without prejudice. If Plaintiff believes in good faith that he can cure the deficiencies identified in the Motion to Dismiss, Plaintiff may file an amended complaint within two weeks from the date of this Order. If Plaintiff does not file a sufficient amended complaint on or before June 15, 2026, the Court will enter judgment for Defendants. IT IS SO ORDERED. DATED this 29th day of May, 2026. /s/ Michael H. Simon Michael H. Simon United States District Judge