

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
NORTH CAROLINA, ASHEVILLE DIVISION

Austin Amos Byrnside v. Lowell Griffin, et al.

Byrnside · No. 1:23-cv-319-MEO · Decided January 13, 2026

SUMMARY

The United States District Court for the Western District of North Carolina granted Defendants’ motion for summary judgment in a 42 U.S.C. § 1983 action brought by a pretrial detainee alleging excessive force, deliberate indifference to a serious medical need, and municipal liability. The court held that the evidence did not establish a genuine dispute of material fact and also found that qualified immunity supported judgment for the individual defendants. The court dismissed the defendants’ assault and battery counterclaims pursuant to their stipulation and dismissed the action with prejudice.

CASE DETAILS

COURT	United States District Court for the Western District of North Carolina, Asheville Division
WRITING FOR THE COURT	Matthew E. Orso
JURISDICTION	United States District Court for the Western District of North Carolina
DECIDED	January 13, 2026
DOCKET	1:23-cv-319-MEO
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought a 42 U.S.C. § 1983 action concerning alleged excessive force, deliberate indifference to a serious medical need, and an allegedly unreasonable use-of-force policy while Plaintiff was a pretrial detainee. Defendants moved for summary judgment, and Plaintiff did not respond.
STANDARD OF REVIEW	Summary judgment is appropriate when the movant shows there is no genuine dispute as to any material fact and is entitled to judgment as a matter of law. The court considers admissible evidence and views the evidence and reasonable inferences in the light most favorable to the nonmoving party, but a party may not rely on mere allegations or denials in the pleadings. Under Scott v. Harris, the court need not adopt a version of events blatantly contradicted by the record.

PRECEDENTIAL VALUE	unpublished district court memorandum decision; persuasive authority only
PARTIES	Austin Amos Byrnside v. Lowell Griffin, Dylan Rollins, Brandon Hemphill, Cameron Burrell

TOPICS

[section 1983](#)
[prisoners rights](#)
[summary judgment](#)
[qualified immunity](#)
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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the deputy defendants used objectively unreasonable force against Plaintiff, a pretrial detainee, in violation of the Fourteenth Amendment.
2. Whether the deputy defendants were deliberately indifferent to a serious medical need by failing to provide earlier decontamination or medical care.
3. Whether Plaintiff established municipal liability or official-capacity liability based on an allegedly unreasonable use-of-force policy.
4. Whether the defendants were entitled to qualified immunity.
5. Whether the deputy defendants' assault and battery counterclaims should be dismissed pursuant to their stipulation after summary judgment was granted.

HOLDINGS

1. The deputy defendants were entitled to summary judgment because the forecast of evidence did not show that their force was objectively unreasonable under the circumstances.
2. The deputy defendants were entitled to summary judgment because Plaintiff failed to forecast evidence that he had a sufficiently serious condition, that defendants knowingly, intentionally, or recklessly failed to address a substantial risk, or that he was harmed by the alleged delay.
3. Defendants were entitled to summary judgment on Plaintiff's policy-based and official-capacity claims because Plaintiff presented no evidence of a municipal policy or custom and failed to establish an underlying constitutional violation.
4. The defendants were independently entitled to summary judgment on qualified-immunity grounds because Plaintiff did not establish a constitutional violation.
5. The counterclaims were dismissed pursuant to the deputy defendants' stipulation contingent on the grant of summary judgment.

KEY QUOTATIONS

“To succeed on an excessive force claim, a pretrial detainee must show only that the force “purposely or knowingly used against him was objectively unreasonable.”” (at 6)

“There are three necessary elements for Monell liability.” (at 10)

“The Defendant’s Motion for Summary Judgment [Doc. 30] is GRANTED and this action is DISMISSED WITH PREJUDICE.” (at 13)

FACTUAL BACKGROUND

Plaintiff, a pretrial detainee at the Henderson County Detention Center, participated in a coordinated disturbance intended to provoke officers into entering his cell. He refused orders to submit to handcuffs, threw liquid at officers, pushed a taser shield, attempted to strike an officer, and continued resisting while officers used limited physical force, taser devices, and strikes to restrain him. Plaintiff was eventually handcuffed and removed without further incident; he later reported a headache, blurred vision, soreness, and a suspected concussion but received no medical treatment and showered approximately seven hours after the incident.

PROCEDURAL HISTORY

The complaint passed initial review as to excessive force and deliberate-indifference claims against deputy defendants and a policy-based claim against Sheriff Lowell Griffin and the deputy defendants. The deputy defendants asserted assault and battery counterclaims, and default was entered on those counterclaims. After Defendants moved for summary judgment and Plaintiff failed to respond, the court granted summary judgment on all claims, dismissed the counterclaims pursuant to the deputy defendants' stipulation, and dismissed the action with prejudice.

DISPOSITION

dismissed

CASES CITED

- Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 247-48, 248, 255 (1986)
- Celotex Corp. v. Catrett, 477 U.S. 317, 322 n.3, 323-24 (1986)
- Scott v. Harris, 550 U.S. 372, 380 (2007)
- Kennedy v. Joy Technologies, Inc., 269 F. App'x 302, 308 (4th Cir. 2008)
- Goodman v. Diggs, 986 F.3d 493 (4th Cir. 2021)
- Kingsley v. Hendrickson, 576 U.S. 389, 397 (2015)
- Graham v. Connor, 490 U.S. 386, 395 n.10, 396 (1989)
- Gardner v. Momon, 2025 WL 2206325 (4th Cir. Aug. 4, 2025)
- Fuller v. Clark, 3:21-cv-254, 2022 WL 3723105 (W.D.N.C. Aug. 29, 2022)
- Bulluck v. Martin, 1:20-cv-292, 2022 WL 179142 (W.D.N.C. Jan. 19, 2022)
- Somers v. Devine, 132 F.4th 689, 698 (4th Cir. 2025)

- Short v. Hartman, 87 F.4th 593, 611-12 (4th Cir. 2023)
- Farmer v. Brennan, 511 U.S. 825, 836 (1994)
- Sullivan v. Branch, 2025 WL 2663667 (E.D. Va. Sept. 17, 2025)
- Kentucky v. Graham, 473 U.S. 159, 165 (1985)
- Monell v. Department of Social Services of the City of New York, 436 U.S. 658, 690 n.55, 690, 694 (1978)
- Mt. Healthy City School Board of Education v. Doyle, 429 U.S. 274, 280 (1977)
- Burgess v. Goldstein, 997 F.3d 541, 562 (4th Cir. 2021)
- City of Canton, Ohio v. Harris, 489 U.S. 378, 389 (1989)
- Polk County v. Dodson, 454 U.S. 312, 326 (1981)
- Milligan v. City of Newport News, 743 F.2d 227, 229 (4th Cir. 1984)
- Spell v. McDaniel, 824 F.2d 1380, 1389 (4th Cir. 1987)
- Lytle v. Doyle, 326 F.3d 463, 471 (4th Cir. 2003)
- Carter v. Morris, 164 F.3d 215, 218 (4th Cir. 1999)
- Owens v. Baltimore City State's Attorney's Office, 767 F.3d 379, 402 (4th Cir. 2014)
- Young v. City of Mt. Rainier, 238 F.3d 567, 579 (4th Cir. 2001)
- Anderson v. Caldwell County Sheriff's Office, 524 F. App'x 854, 862 (4th Cir. 2013)
- Henry v. Purnell, 652 F.3d 524, 531 (4th Cir. 2011) (en banc)
- E.W. ex rel. T.W. v. Dolgos, 884 F.3d 172, 178 (4th Cir. 2018)
- Smith v. Ray, 781 F.3d 95, 100 (4th Cir. 2015)