

VERMONT SUPERIOR COURT, CIVIL DIVISION, BENNINGTON UNIT

Shawn Mateo v. David Barra

Mateo · No. 24-CV-05337 · Decided February 4, 2026

SUMMARY

The Vermont Superior Court dismissed Shawn Mateo’s civil action against Judge David Barra under the doctrine of judicial immunity. The court held that the challenged conduct consisted solely of judicial decisions and rulings made within Judge Barra’s judicial authority, while noting that Mateo could pursue appellate remedies in the underlying cases.

CASE DETAILS

COURT	Vermont Superior Court, Civil Division, Bennington Unit
WRITING FOR THE COURT	Mary Miles Teachout
JURISDICTION	Vermont Superior Court, Civil Division, Bennington Unit
DECIDED	February 4, 2026
DOCKET	24-CV-05337
DISPOSITION	dismissed
PROCEDURAL POSTURE	The plaintiff filed a civil complaint against the presiding judge of the Bennington Unit, alleging that the judge violated his constitutional rights through rulings in cases in which the plaintiff was a party. Before service was proved or an answer was filed, the specially assigned superior judge dismissed the action based on judicial immunity.
STANDARD OF REVIEW	The court applied the legal doctrine of judicial immunity to the allegations in the complaint; no separate standard of review was stated.
PRECEDENTIAL VALUE	Unknown

TOPICS

- civil procedure
- civil rights
- due process
- constitutional law
- remedies

PRACTICE AREAS

- civil procedure
- civil rights
- constitutional law
- judicial immunity
- remedies

QUESTIONS PRESENTED

1. Whether judicial immunity bars a civil action against a judicial officer for decisions and legal rulings made in cases in which the plaintiff was a party.
2. Whether the conduct alleged was performed within the judicial officer's jurisdiction and in a judicial capacity.

HOLDINGS

1. A judicial officer is immune from a private civil action for acts performed within the officer's jurisdiction and in a judicial capacity.

KEY QUOTATIONS

- “Immunity from liability in favor of the judges rests upon the broad ground of public policy, which declares that a judge, for acts done by him in his judicial capacity, is absolutely privileged from action.”* (Order Page 1)
- “No judge could act independently if conscious that he was exposed to an action by every disappointed suitor in his court.”* (Order Page 1)

FACTUAL BACKGROUND

Mateo sued David Barra, the presiding judge of the Bennington Unit of the Vermont Superior Court, based on rulings Barra made in cases involving Mateo. The complaint alleged violations of the Seventh and Fourteenth Amendments, including denial of an opportunity to present evidence. An attached order showed that Barra had denied a motion in *Ballinallee Properties, LLC v. Shawn Mateo*, No. 23-CV-05342.

PROCEDURAL HISTORY

Mateo filed the complaint on December 16, 2024, and the court issued a summons on December 18, 2024. The record contained no proof of service and no answer. The court reviewed the complaint and an attached order from another case and dismissed the action because the challenged conduct consisted solely of judicial rulings.

DISPOSITION

dismissed

CASES CITED

- *Vaughan v. Congdon*, 56 Vt. 111
- *Banister v. Wakeman*, 64 Vt. 203, 23 A. 585 (1891)
- *Placa v. Lowery*, 134 Vt. 56, 56–58, 349 A.2d 235, 236 (1975)

OPINION

Mateo v. Barra
PER CURIAM.

VERMONT SUPERIOR COURT CIVIL DIVISION

Bennington Unit Case No. 24-CV-05337 207 South St Bennington VT 05201 802-447-2700
www.vermontjudiciary.org Shawn Mateo v. David Barra

DISMISSAL

Mr. Mateo has filed a civil Complaint against David Barra, who is the Presiding Judge of the Bennington Unit of the Civil Division of the Vermont Courts. The undersigned has been specially assigned to this case. The Complaint was filed December 16, 2024, and a summons was issued by the court on December 18, 2024. At this time there is no proof of service on Defendant, and no answer has been filed. Because the allegations against Defendant Barra relate to a case in which he has been involved as a judge, the first question is whether the case is barred from proceeding on the basis of Judicial Immunity. This is a legal principle that has been in effect in Vermont since 1891: A judicial officer, acting within his jurisdiction and in a judicial capacity, is not liable in a private action for his judicial acts. . . .The reason of this rule is well stated by Judge POWERS in his dissenting opinion in *Vaughan v. Congdon*, 56 Vt. 111, where he says: “Immunity from liability in favor of the judges rests upon the broad ground of public policy, which declares that a judge, for acts done by him in his judicial capacity, is absolutely privileged from action. It is an official privilege, which, though it covers a multitude of sins, is still absolutely essential to the due administration of justice. It is a privilege not primarily designed for the protection of the judge, but for the protection of the public, by making the judges free, independent, and fearless in the discharge of their duties. No judge could act independently if conscious that he was exposed to an action by every disappointed suitor in his court.” *Banister v. Wakeman*, 64 Vt. 203, 23 A. 585, 586–87 (1891). The question is whether the acts Mr. Mateo describes in his Complaint were done as judicial acts within Judge Barra’s judicial authority. *Placa v. Lowery*, 134 Vt. 56, 56–58, 349 A.2d 235, 236 (1975). Order Page 1 of 2 24-CV-05337 Shawn Mateo v. David Barra Mr. Mateo’s Complaint states that he is suing David Barra because he did the following: “Violated my constitutional rights my 7th Amendment in multilible [sic] cases Shawn Mateo vs. Ricks Towing, Shawn Mateo vs. Pat Gray AKA ballinallee properties and denying me to put my evidence in 14th Amendment the due process clause” Attached to the Complaint is a copy of an Order signed by Judge Barra in the case of *Ballinallee Properties, LLC v. Shawn Mateo*, Case No. 23-CV-05342 in which Judge Barra denied a motion filed by Mr. Mateo. It is clear from this Complaint and attachment that Mr. Mateo has sued David Barra only over the decisions and legal rulings that Judge Barra has made in his role as the Judge in the Bennington Unit of the Vermont Court. There is no allegation of any conduct by Judge Barra other than acts he performed as a judge in cases in which Mr. Mateo was or is a party. Under the doctrine of judicial immunity as described above, Judge Barra is immune from being sued for such conduct. Therefore, this lawsuit must be dismissed. It is noted that Mr. Mateo has the right and opportunity of appeal to the Vermont Supreme Court to challenge legal rulings Judge Barra makes in individual cases. Any appeal must be done according to the Vermont Rules of Civil and Appellate Procedure. This dismissal does not

take away those opportunities. For the reason described above, this case is dismissed. Electronically signed January 28, 2025 pursuant to V.R.E.F. 9 (d). Mary Miles Teachout Superior Judge (Ret.), Specially Assigned Order Page 2 of 2 24-CV-05337 Shawn Mateo v. David Barra

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