

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

Sandy Martin Shaw v. Mitchell County, et al.

Sandy Martin Shaw v. Mitchell County, Civil Case No. 1:24-cv-00226-MR (W.D.N.C. Mar. 9, 2026) · No. 1:24-cv-00226-MR · Decided March 9, 2026

SUMMARY

This memorandum of decision and order addresses the defendants' motion for summary judgment in Sandy Martin Shaw's action arising from an alleged assault, arrest, and involuntary commitment in Mitchell County, North Carolina. The court analyzes claims under 42 U.S.C. § 1983 for excessive force, unlawful seizure, and detention, as well as related state-law claims. Based on the excerpt, the court concludes that the named defendants were not responsible for the alleged excessive force and had probable cause for the involuntary commitment.

CASE DETAILS

COURT	United States District Court for the Western District of North Carolina, Asheville Division
JURISDICTION	United States District Court for the Western District of North Carolina, Asheville Division
DECIDED	March 9, 2026
DOCKET	1:24-cv-00226-MR
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought claims under 42 U.S.C. § 1983 and North Carolina law arising from an alleged assault, traffic-stop detention, and involuntary commitment. The remaining governmental defendants moved for summary judgment.
STANDARD OF REVIEW	Summary judgment is appropriate 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 nonmovant, without weighing evidence or making credibility determinations.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Sandy Martin Shaw v. Mitchell County, Donald Street, Rickey Van Wiseman, Stacey Hughes, Terry L. Silvers

TOPICS

summary judgment

section 1983

qualified immunity

civil rights

civil procedure

PRACTICE AREAS

civil rights litigation

constitutional torts

mental-health law

civil procedure

state tort law

QUESTIONS PRESENTED

1. Whether the named defendants could be liable under 42 U.S.C. § 1983 for excessive force when the alleged force was committed by an unidentified Yancey County deputy who was not a defendant.
2. Whether the defendants violated Shaw's Fourth Amendment rights by arresting, detaining, or involuntarily committing him without probable cause.
3. Whether the defendants were entitled to qualified immunity on the involuntary-commitment claim.
4. Whether the municipal-liability claims failed because Shaw did not establish an underlying constitutional violation.
5. Whether Shaw's North Carolina abuse-of-process claim was supported by evidence of a conspiracy or improper use of legal process.
6. Whether Shaw's North Carolina false-imprisonment claims failed for lack of evidence that his involuntary commitment occurred without probable cause.
7. Whether the unidentified Doe defendants should be dismissed when Shaw asserted no specific claims against them.

HOLDINGS

1. The excessive-force claim against the named individual defendants fails because Shaw presented no evidence that any of them personally participated in the alleged act of striking him in the head with a pistol; the evidence attributed that act to an unidentified Yancey County deputy who was not named as a defendant.
2. The defendants had probable cause to seize and detain Shaw for an involuntary mental-health evaluation because the totality of the circumstances—including reports of threats and violence, a shooting, Shaw's agitated and intoxicated condition, and firearms and gasoline in his vehicle—could lead reasonable officers to believe that he was mentally ill and dangerous to himself or others.
3. The defendants are entitled to qualified immunity because, even assuming a constitutional violation, Shaw's right to be free from involuntary-commitment detention under these circumstances was not clearly established, and the defendants' conduct was objectively reasonable.
4. The municipal-liability claims against Mitchell County, Sheriff Street, and the defendants in their official capacities fail because Shaw did not establish an underlying constitutional violation.
5. The abuse-of-process claim against the named governmental defendants fails because Shaw presented no evidence from which a reasonable jury could find the alleged conspiracy or an improper willful act in the prosecution of process.

6. The false-imprisonment claims fail because Shaw did not present evidence that his involuntary commitment lacked probable cause.
7. The Doe defendants must be dismissed without prejudice because Shaw did not assert specific claims against them and they were never identified or served.

KEY QUOTATIONS

“Summary judgment is appropriate “if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.””

“The Plaintiff’s unlawful detention claim arising from his involuntary commitment, therefore, must be dismissed.”

“For all of these reasons, the Court concludes that the Defendants had probable cause to believe that the Plaintiff presented a danger to himself and others.”

“The Plaintiff’s theory—that the Defendant officers conspired with his ex-wife and stepdaughters to involuntarily commit the Plaintiff when his ex-wife’s attempt to murder him was unsuccessful—is utterly unsupported by the record and borders on frivolous.”

FACTUAL BACKGROUND

After Shaw told his wife that he wanted a divorce, a domestic altercation occurred at the marital residence involving Shaw, his wife, and his stepdaughters. Shaw was injured by a gunshot during the altercation, and officers stopped him while he was driving to a hospital; officers observed that he was injured, agitated, smelled of alcohol, and had firearms and gasoline cans in his vehicle. A sheriff’s employee obtained an involuntary-commitment order from a magistrate based on reported threats, the altercation, the firearm discharge, and Shaw’s apparent mental state. Shaw was hospitalized for several days and later released; he subsequently pleaded guilty to resisting a public officer.

PROCEDURAL HISTORY

Shaw sued Mitchell County, Sheriff Donald Street, several Mitchell County Sheriff’s Office employees, unidentified officers, his former wife, and his former stepdaughters. Defaults were entered against the former wife and stepdaughters, while the Doe officers were never identified or served. The court granted the named governmental defendants’ motion for summary judgment, dismissed the Doe defendants without prejudice, and directed Shaw to take further action concerning the defaulted defendants.

DISPOSITION

other

CASES CITED

- Monell v. Department of Social Services, 436 U.S. 658 (1978)
- Bouchat v. Baltimore Ravens Football Club, Inc., 346 F.3d 514, 519, 522 (4th Cir. 2003)

- *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 247-48 (1986)
- *Ballengee v. CBS Broadcasting, Inc.*, 968 F.3d 344, 349 (4th Cir. 2020)
- *News & Observer Publishing Co. v. Raleigh-Durham Airport Authority*, 597 F.3d 570, 576 (4th Cir. 2010)
- *Guessous v. Fairview Property Investments, LLC*, 828 F.3d 208, 216 (4th Cir. 2016)
- *Jacobs v. North Carolina Administrative Office of the Courts*, 780 F.3d 562, 568-69 (4th Cir. 2015)
- *Adams v. Trustees of University of North Carolina—Wilmington*, 640 F.3d 550, 556 (4th Cir. 2011)
- *Austin v. Paramount Parks, Inc.*, 195 F.3d 715, 727 (4th Cir. 1999)
- *City of Oklahoma City v. Tuttle*, 471 U.S. 808, 816 (1985)
- *Mapp v. Ohio*, 367 U.S. 643, 655 (1961)
- *Yates v. Terry*, 817 F.3d 877, 884 (4th Cir. 2016)
- *Wright v. Collins*, 766 F.2d 841, 850 (4th Cir. 1985)
- *Vinnedge v. Gibbs*, 550 F.2d 926, 928 (4th Cir. 1977)
- *Martin v. Gentile*, 849 F.2d 863, 871 (4th Cir. 1988)
- *Glass v. Mayas*, 984 F.2d 55, 58 (2d Cir. 1993)
- *Barrett v. Pae Government Services, Inc.*, 975 F.3d 416, 429 (4th Cir. 2020)
- *Goines v. Valley Community Services Board*, 822 F.3d 159, 172 (4th Cir. 2016)
- *Illinois v. Gates*, 462 U.S. 213, 230 (1983)
- *United States v. Gray*, 137 F.3d 765, 769 (4th Cir. 1998)
- *Durham v. Horner*, 690 F.3d 183, 189 (4th Cir. 2012)
- *Miller v. Prince George's County*, 475 F.3d 621, 628 (4th Cir. 2007)
- *Monday v. Oullette*, 118 F.3d 1099, 1102 (6th Cir. 1997)
- *Heck v. Humphrey*, 512 U.S. 477, 485-87 (1994)
- *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)
- *Raub v. Campbell*, 785 F.3d 876, 882 (4th Cir. 2015)
- *Cloaninger ex rel. Estate of Cloaninger v. McDevitt*, 555 F.3d 324, 334, 336 (4th Cir. 2009)
- *Young v. City of Mount Ranier*, 238 F.3d 567, 579 (4th Cir. 2001)
- *Belcher v. Oliver*, 898 F.2d 32, 36 (4th Cir. 1990)
- *Fowle v. Fowle*, 263 N.C. 724, 728, 140 S.E.2d 398, 401 (1965)
- *Semones v. Southern Bell Telephone & Telegraph Co.*, 106 N.C. App. 334, 341, 416 S.E.2d 909, 913 (1992)
- *Emory v. Pendergraph*, 154 N.C. App. 181, 185, 571 S.E.2d 845, 848 (2002)
- *Massey v. Ojaniit*, 759 F.3d 343, 358 (4th Cir. 2014)