

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA

Moore v. Duran

No. 3:23-cv-0194-GPC-DDL (S.D. Cal. Sept. 25, 2025) · No. 3:23-cv-0194-GPC-DDL · Decided September 25, 2025

SUMMARY

The United States District Court for the Southern District of California granted the parties’ joint motion to vacate the judgment entered against Defendant Manquero under Federal Rule of Civil Procedure 60(b). The court found that the post-judgment settlement, including payment and waiver of certain rights, supported vacatur and dismissed the action with prejudice.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Gonzalo P. Curiel
JURISDICTION	United States District Court for the Southern District of California
DECIDED	September 25, 2025
DOCKET	3:23-cv-0194-GPC-DDL
DISPOSITION	vacated
PROCEDURAL POSTURE	Following a jury verdict and entry of judgment, the parties jointly moved under Federal Rule of Civil Procedure 60(b) to vacate the judgment pursuant to a post-judgment settlement agreement and requested dismissal of the action with prejudice.
STANDARD OF REVIEW	The district court applied equitable discretion under Federal Rule of Civil Procedure 60(b), using a balancing of the consequences and hardships of vacatur, the interests in finality and relitigation, the motives behind the request, public policy against erasing adverse judgments, the policy favoring settlement, and any effects on public or third-party interests.
PRECEDENTIAL VALUE	Unknown; fact-specific district-court order

TOPICS

- civil procedure
- civil rights
- remedies
- damages
- motion for reconsideration

PRACTICE AREAS

civil procedure

civil rights

prisoner civil rights

settlement and vacatur

remedies

QUESTIONS PRESENTED

1. Whether the district court should vacate its own post-trial judgment under Federal Rule of Civil Procedure 60(b) based on the parties' post-judgment settlement and waiver of appellate and cost claims.
2. Whether the action should be dismissed with prejudice after the judgment was vacated and the parties requested dismissal pursuant to their settlement.

HOLDINGS

1. Vacatur was warranted because the parties' settlement, waiver of appellate and cost claims, lack of identified adverse public or third-party interests, fact-specific nature of the judgment, and continued availability of the judgment in flagged electronic databases outweighed the interests opposing vacatur.
2. After vacating the August 8, 2025 judgment, the court dismissed the action with prejudice pursuant to the parties' settlement and request for dismissal.

KEY QUOTATIONS

“district courts enjoy ‘greater equitable discretion when reviewing [their] own judgments than do appellate courts operating at a distance.’” (at 1)

“the public has an interest in protecting district court precedents from ‘a refined form of collateral attack.’” (at 2)

“Thus, the Court concludes that vacatur is warranted.” (at 3)

FACTUAL BACKGROUND

Moore was an inmate in the California Department of Corrections and Rehabilitation, and the defendants were correctional officers. He alleged that defendants used excessive force, sexually assaulted him during the incident, retaliated against him, and disregarded his safety and welfare. After a jury found Defendant Manquero liable for excessive and unnecessary force committed maliciously and sadistically and awarded nominal and punitive damages, the parties agreed that CDCR would pay Moore \$1,500, Moore would waive collection of the \$1,000 punitive-damages award, and the parties would not seek costs.

PROCEDURAL HISTORY

Moore, a California prison inmate, sued correctional officers under 42 U.S.C. § 1983 and related constitutional theories. A jury trial commenced on July 7, 2025, and on July 11, 2025, returned special verdicts against relevant defendants, including a verdict finding Defendant Manquero liable for excessive and unnecessary force and awarding nominal and punitive damages. After judgment was entered, the parties reached a settlement providing for payment by CDCR, waiver of the punitive-damages award and costs, and a release of claims, contingent on vacatur. The district court granted the joint motion, vacated the August 8, 2025 judgment, and dismissed the action with prejudice.

DISPOSITION

vacated

CASES CITED

- Liberty Mut. Fire Ins. Co. v. Bosa Dev. California II, Inc., No. 17-CV-00666-AJB-BGS, 2022 WL 2902782, at *1-*2 (S.D. Cal. Feb. 10, 2022)
- Am. Games, Inc. v. Trade Prods., Inc., 142 F.3d 1164, 1168, 1170 (9th Cir. 1998)
- Ayotte v. Am. Econ. Ins. Co., 578 F. App'x 657, 658-59 (9th Cir. 2014)
- Bedrock Fin., Inc. v. United States, No. 1:10-CV-01055 MJS HC, 2015 WL 1989106, at *3-*4 (E.D. Cal. Apr. 30, 2015)
- Gardner v. CafePress Inc., No. 3:13-CV-1108-GPC-JLB, 2015 WL 13427727, at *3 (S.D. Cal. Jan. 9, 2015)
- Bates v. Union Oil Co. of California, 944 F.2d 647, 650 (9th Cir. 1991)
- Ringsby Truck Lines, Inc. v. W. Conf. of Teamsters, 686 F.2d 720, 721 (9th Cir. 1982)
- Nixon v. Warner Commc'n, Inc., 435 U.S. 589, 597-98 (1978)
- NASD Disp. Resol., Inc. v. Jud. Council of State of Cal., 488 F.3d 1065, 1069 (9th Cir. 2007)
- U.S. Bancorp Mortg. Co. v. Bonner Mall P'ship, 513 U.S. 18, 26 (1994)