

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Julia Garcia, M.D. v. Ashley Rzeszewski and Pocono Mountain
Regional Police Commission

No. 3:23-CV-1992 · No. No. 3:23-CV-1992 · Decided March 30, 2026

SUMMARY

The memorandum addresses defendants’ motion for summary judgment in Julia Garcia’s action against Officer Ashley Rzeszewski and the Pocono Mountain Regional Police Commission. The court concludes that disputed facts concerning probable cause preclude summary judgment on Garcia’s malicious prosecution and false arrest claims against Rzeszewski. It grants summary judgment on the abuse of process, failure to train, and intentional infliction of emotional distress claims and dismisses Pocono Mountain from the action.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Phillip J. Caraballo
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	March 30, 2026
DOCKET	No. 3:23-CV-1992
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved for summary judgment on all five claims. The court denied summary judgment on the § 1983 malicious prosecution and false arrest claims against Officer Rzeszewski, denied summary judgment without prejudice on qualified immunity, and granted summary judgment on abuse of process, failure to train, and intentional infliction of emotional distress.
STANDARD OF REVIEW	Summary judgment is appropriate when the record shows no genuine dispute of material fact and the movant is entitled to judgment as a matter of law. The evidence and reasonable inferences must be viewed in the light most favorable to the nonmovant. On qualified immunity, a genuine dispute of material fact precludes summary judgment when the dispute is relevant to whether a constitutional violation occurred or whether the right was clearly established.

PRECEDENTIAL VALUE	unpublished
PARTIES	Julia Garcia, M.D. v. Ashley Rzeszewski, Pocono Mountain Regional Police Commission

TOPICS

[section 1983](#)
[summary judgment](#)
[qualified immunity](#)
[false arrest](#)
[malicious prosecution](#)

PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether disputed facts concerning the existence of probable cause precluded summary judgment on Garcia's § 1983 false arrest claim.
2. Whether disputed facts concerning probable cause and Rzeszewski's intent precluded summary judgment on Garcia's § 1983 malicious prosecution claim.
3. Whether Rzeszewski was entitled to qualified immunity at the summary-judgment stage.
4. Whether Garcia presented evidence sufficient to support an abuse of process claim based on initiation or reinitiation of criminal charges and a CYS investigation.
5. Whether Garcia presented evidence sufficient to support a Monell failure-to-train claim against Pocono Mountain.
6. Whether Garcia presented evidence of severe emotional distress and resulting physical harm sufficient to support an intentional infliction of emotional distress claim under Pennsylvania law.

HOLDINGS

1. Summary judgment was inappropriate on the § 1983 false arrest claim because material factual disputes concerning the circumstances of the child's medical episode, supervision, Garcia's conduct and intoxication, and the contents of the probable-cause affidavit could allow a reasonable juror to find that probable cause was absent.
2. Summary judgment was inappropriate on the § 1983 malicious prosecution claim because factual disputes concerning probable cause and Rzeszewski's intent remained unresolved.
3. Summary judgment on qualified immunity was denied without prejudice because unresolved factual disputes concerning probable cause prevented the court from determining whether Garcia sufficiently established a constitutional violation.
4. Summary judgment was granted on the abuse of process claim because the alleged conduct concerned initiation or reinitiation of criminal charges, not a perversion of legal process after initiation.
5. Summary judgment was granted on the failure-to-train claim because Garcia did not present evidence that Pocono Mountain was deliberately indifferent to a specific training need or that a particular training

deficiency caused her alleged constitutional injury.

6. Summary judgment was granted on the Pennsylvania intentional infliction of emotional distress claim because Garcia lacked evidence of severe emotional distress and resulting physical harm.

KEY QUOTATIONS

“because “[t]his totality-of-the-circumstances inquiry is ‘necessarily fact-intensive’.. . ‘it will usually be appropriate for a jury to determine whether probable cause existed.’” (at 19)

“the right to be free from an arrest and prosecution based on an affidavit of probable cause that omitted material facts and included false and misleading representations, when a complete and accurate affidavit would have militated against a finding of probable cause.” (at 31-32)

“Absent that requisite evidence, summary judgment on the Count V intentional infliction of emotional distress claim is granted.” (at 44)

FACTUAL BACKGROUND

At a Pennsylvania waterpark, Garcia's four-year-old child experienced a medical episode in a hot tub while Garcia was not within the child's immediate vicinity or line of sight. The parties disputed whether the child was unsupervised, whether he passed out or merely fell asleep, the severity of his condition, Garcia's interactions with emergency medical personnel, and whether she appeared intoxicated. Officer Rzeszewski prepared an affidavit of probable cause containing allegedly false or omitted facts, including statements concerning supervision, the child's condition, Garcia's conduct, and intoxication. Garcia was twice charged with endangering the welfare of a child and recklessly endangering another person, and both prosecutions ended in dismissal after preliminary hearings.

PROCEDURAL HISTORY

Garcia was twice criminally charged in Pennsylvania based on an affidavit of probable cause prepared by Officer Rzeszewski. Both prosecutions were dismissed after preliminary hearings when the magisterial district courts found that probable cause had not been established. Garcia then filed this civil rights and tort action. After discovery, defendants moved for summary judgment, and the court ruled on the fully briefed motion following oral argument.

DISPOSITION

other

CASES CITED

- Wishkin v. Potter, 476 F.3d 180, 184
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248
- Celotex Corp. v. Catrett, 477 U.S. 317, 323
- Emil Jutrowski v. Township of Riverdale, Jutrowski v. Township of Riverdale, 904 F.3d 280, 288-89

- D.E. v. Central Dauphin School District, 765 F.3d 260, 268-69
- Anchorage Associates v. Virgin Islands Board of Tax Review, 922 F.2d 168, 175
- James v. City of Wilkes-Barre, 700 F.3d 675, 680
- Harvard v. Cesnalis, 973 F.3d 190, 199-200
- Wilson v. Russo, 212 F.3d 781, 786-90
- Sherwood v. Mulvihill, 118 F.3d 396, 399-401
- Orsatti v. New Jersey State Police, 71 F.3d 480, 483
- Dempsey v. Bucknell University, 834 F.3d 457, 468
- Halsey v. Pfeiffer, 750 F.3d 2738, 300
- Commonwealth v. Howard, 257 A.3d 1217, 1222, 1226-27
- Commonwealth v. Bryant, 57 A.3d 191, 197
- Commonwealth v. Moser, 549 A.2d 76, 79
- Commonwealth v. Reynolds, 835 A.2d 720, 727
- Estate of Smith v. Marasco, 318 F.3d 497, 521
- Thompson v. City of Williamsport, 2023 WL 8005306, at *5
- Berg v. County of Allegheny, 219 F.3d 261, 272
- Thompson v. Clark, 596 U.S. 36, 49
- Lippay v. Christos, 996 F.2d 1490, 1502, 1504
- Buckley v. Fitzsimmons, 509 U.S. 259, 268
- Harlow v. Fitzgerald, 457 U.S. 800, 818
- Clark v. Coupe, 55 F.4th 167, 178-79
- Peroza-Benitez v. Smith, 994 F.3d 157, 165
- Mullenix v. Luna, 577 U.S. 7, 12
- Williams v. Secretary Pennsylvania Department of Corrections, 848 F.3d 549, 557
- Thomas v. Independence Township, 463 F.3d 285, 292
- Giles v. Kearney, 571 F.3d 318, 326
- Pearson v. Callahan, 555 U.S. 228, 236
- Reichle v. Howards, 566 U.S. 658, 664
- Ashcroft v. al-Kidd, 563 U.S. 731, 741
- Fields v. City of Philadelphia, 862 F.3d 338, 361
- Napier v. City of New Castle, 407 F. App'x 578, 582
- General Refractories Co. v. Fireman's Fund Insurance Co., 387 F.3d 297, 307
- Rose v. Bartle, 871 F.2d 331, 350 n.17
- Forlina v. Doe, 2019 WL 5188400, at *5-6
- Douris v. Schweiker, 229 F. Supp. 2d 391, 404
- Zerby v. Waltz, 2017 WL 386616, at *10
- Talbert v. Ciglar, 2019 WL 653219, at *5

- *Ference v. Township of Hamilton*, 538 F. Supp. 2d 785, 798
- *Forrest v. Parry*, 930 F.3d 98, 105-06
- *Estate of Roman v. City of Newark*, 914 F.3d 789, 798-99
- *Carter v. City of Philadelphia*, 181 F.3d 339, 357
- *Diaz v. City of Philadelphia*, 670 F. Supp. 3d 174, 185
- *Hightower v. City of Philadelphia*, 130 F.4th 352, 357
- *Connick v. Thompson*, 563 U.S. 51, 62
- *City of Canton, Ohio v. Harris*, 489 U.S. 378, 392
- *Kelley v. Reyes*, 2025 WL 618207, at *21
- *Smith v. RB Distribution, Inc.*, 515 F. Supp. 3d 311, 315
- *Hoy v. Angelone*, 691 A.2d 476, 482, *aff'd*, 720 A.2d 745
- *Zucal v. County of Lehigh*, 760 F. Supp. 3d 290, 305
- *Reedy v. Evanson*, 615 F.3d 197, 231
- *Kovalev v. City of Philadelphia*, 2017 WL 770945, at *11, *aff'd*, 775 F. App'x 72
- *Galullo v. Federal Express Corp.*, 937 F. Supp. 392, 398
- *Barnello v. Pocono Mountain Regional Police Commission*, 2024 WL 3794676, at *3, *5