

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF CONNECTICUT

Vaillant v. Constanza, Officer Chonerko, Officer Moan, and Officer Scalise

Vaillant · No. 3:24-cv-1766-(VAB) · Decided March 30, 2026

SUMMARY

The United States District Court for the District of Connecticut grants the defendants’ motion to dismiss Justo Vaillant’s amended pro se civil-rights complaint with prejudice. The court holds that the complaint does not plausibly allege false arrest, false imprisonment, malicious prosecution, denial of a fair trial based on fabricated evidence, conspiracy, or personal involvement by the individual defendants.

CASE DETAILS

COURT	United States District Court for the District of Connecticut
WRITING FOR THE COURT	Victor A. Bolden
JURISDICTION	United States District Court for the District of Connecticut
DECIDED	March 30, 2026
DOCKET	3:24-cv-1766-(VAB)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendants moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss the pro se amended complaint asserting civil-rights claims. The court granted the motion and dismissed the amended complaint with prejudice.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true, views them in the light most favorable to the plaintiff, draws reasonable inferences in the plaintiff's favor, and determines whether the complaint states a facially plausible claim for relief. Conclusory allegations, labels, and formulaic recitations of elements are insufficient. Pro se pleadings are construed liberally, but the court may not supply essential elements or read claims into allegations that do not support them.
PRECEDENTIAL VALUE	Unknown; district court opinion designated per curiam, with no reporter or neutral citation identified.

PARTIES

Justo Vaillant v. Officer Constanza, Officer Chonerko, Officer Moan, Officer Scalise

TOPICS

motions to dismiss

section 1983

civil rights

pleadings

civil procedure

PRACTICE AREAS

civil rights

constitutional law

civil procedure

Section 1983 litigation

pleading standards

QUESTIONS PRESENTED

1. Whether the amended complaint plausibly stated a 42 U.S.C. § 1983 false-arrest claim.
2. Whether the amended complaint plausibly stated a false-imprisonment claim.
3. Whether the amended complaint plausibly stated a malicious-prosecution claim despite alleging that the underlying criminal case remained pending.
4. Whether the amended complaint plausibly stated a denial-of-the-right-to-a-fair-trial claim based on fabricated evidence.
5. Whether the amended complaint plausibly stated a § 1983 conspiracy claim.
6. Whether the amended complaint adequately alleged the personal involvement of each named defendant.
7. Whether dismissal with prejudice was appropriate after plaintiff had already been given an opportunity to amend.

HOLDINGS

1. The amended complaint failed to state a plausible false-arrest claim because it did not allege facts showing that an arrest occurred, that defendants intentionally arrested plaintiff, or that the arrest lacked probable cause.
2. The amended complaint failed to state a plausible false-imprisonment claim because it did not allege an intended confinement, conscious confinement, lack of consent, or confinement that was not privileged.
3. The amended complaint failed to state a malicious-prosecution claim because plaintiff alleged that the underlying criminal case was still pending and therefore did not allege favorable termination.
4. The amended complaint failed to state a fabricated-evidence fair-trial claim because it did not identify any specific fabricated evidence, false statement, fabricated document, information forwarded to prosecutors, or facts showing the evidence was likely to influence a jury and caused a deprivation of liberty.
5. The amended complaint failed to state a § 1983 conspiracy claim because it alleged no agreement or meeting of the minds, concerted action, overt act, or specific facts connecting the alleged participants.
6. The amended complaint failed to state any additional civil-rights claim because it did not connect any particular named officer to a specific constitutional violation.

7. Dismissal with prejudice was appropriate because plaintiff had already received an opportunity to amend, the amended pleading continued to rely on conclusory allegations, and further amendment would be futile.

KEY QUOTATIONS

“only a complaint that states a plausible claim for relief survives a motion to dismiss.” (Section II.A)

“Conclusory statements that officers fabricated evidence do not suffice to state a claim for the denial of a fair trial.” (Section III.D)

“The record also reflects a “repeated failure to cure deficiencies by amendments previously allowed,” which is an independent reason to deny further leave to amend.” (Section III.G)

FACTUAL BACKGROUND

Plaintiff alleged that on April 20, 2023, he went to the South Windsor Police Department for assistance after being locked out of his home. He claimed that the officers fabricated threatening and harassment charges with Milagros Vaillant, hacked his Twitter account, and caused the loss of property and cryptocurrency. He also alleged that the related criminal case remained pending in the Superior Court in Manchester, Connecticut, but did not allege specific facts concerning an arrest, detention, fabricated evidence, officer participation, probable cause, or the alleged hacking.

PROCEDURAL HISTORY

The action was removed from Hartford Superior Court on November 6, 2024. After an earlier motion to dismiss and motions concerning joinder, the court granted leave to amend and adopted ECF No. 32 as the operative pleading. Plaintiff filed additional pleadings without leave, defendants filed the pending motion to dismiss, and the court granted that motion, finding the operative complaint failed to state any plausible claim and that further amendment would be futile.

DISPOSITION

dismissed

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555-57, 570 (2007)
- Arista Records LLC v. Doe 3, 604 F.3d 110, 120 (2d Cir. 2010)
- Turkmen v. Ashcroft, 589 F.3d 542, 546 (2d Cir. 2009)
- Cohen v. S.A.C. Trading Corp., 711 F.3d 353, 359 (2d Cir. 2013)
- York v. Ass’n of the Bar of N.Y., 286 F.3d 122, 125 (2d Cir. 2002)
- McCarthy v. Dun & Bradstreet Corp., 482 F.3d 184, 191 (2d Cir. 2007)
- Brass v. Am. Film Techs., Inc., 987 F.2d 142, 150 (2d Cir. 1993)

- Patrowicz v. Transamerica HomeFirst, Inc., 359 F. Supp. 2d 140, 144 (D. Conn. 2005)
- Sykes v. Bank of Am., 723 F.3d 399, 403 (2d Cir. 2013)
- Triestman v. Fed. Bureau of Prisons, 470 F.3d 471, 474-76 (2d Cir. 2006)
- Tracy v. Freshwater, 623 F.3d 90, 101-02 (2d Cir. 2010)
- Thompson v. Carter, 284 F.3d 411, 416 (2d Cir. 2002)
- Branum v. Clark, 927 F.2d 698, 705 (2d Cir. 1991)
- Golden State Transit Corp. v. City of Los Angeles, 493 U.S. 103, 105 (1989)
- Jaegly v. Couch, 439 F.3d 149, 152 (2d Cir. 2006)
- Alberty v. Hunter, 144 F.4th 408, 415 (2d Cir. 2025)
- Davis v. Rodriguez, 364 F.3d 424, 433 (2d Cir. 2004)
- Belton v. Dragoi, 228 Conn. App. 510, 534 (2024)
- Russo v. City of Bridgeport, 479 F.3d 196, 204 (2d Cir. 2007)
- Escalera v. Lunn, 361 F.3d 737, 743 (2d Cir. 2004)
- Weyant v. Okst, 101 F.3d 845, 853 (2d Cir. 1996)
- Felix v. Hall-Brooke Sanitarium, 140 Conn. 496, 499, 101 A.2d 510 (1953)
- Glover v. Onondaga County, 2025 WL 1077532 (2d Cir. Apr. 10, 2025)
- Rhodes v. City of Plattsburgh, 2000 WL 536397 (2d Cir. May 3, 2000)
- Singer v. Fulton County Sheriff, 63 F.3d 110, 118 (2d Cir. 1995)
- Lo Sacco v. Young, 20 Conn. App. 6, 21, cert. denied, 213 Conn. 808 (1989)
- Friend v. Gasparino, 61 F.4th 77, 92 (2d Cir. 2023)
- Darby v. Greenman, Darby v. Greenman, 14 F.4th 124 (2d Cir. 2021)
- Jackson v. County of Rockland, 450 F. App'x 15, 18-19 (2d Cir. 2011)
- Dufort v. City of New York, 874 F.3d 338, 355 (2d Cir. 2017)
- Garnett v. Undercover Officer C0039, 838 F.3d 265, 275 (2d Cir. 2016)
- Ricciuti v. N.Y.C. Transit Auth., 124 F.3d 123, 129-30 (2d Cir. 1997)
- Jocks v. Tavernier, 316 F.3d 128, 138 (2d Cir. 2003)
- Jovanovic v. City of New York, 486 F. App'x 149, 152 (2d Cir. 2012)
- Taranto v. Putnam County, 2023 WL 6318280, at *10 (S.D.N.Y. Sept. 28, 2023)
- Bleiwas v. City of New York, 2017 WL 3524679, at *7 (S.D.N.Y. Aug. 15, 2017)
- Lewis v. Slaiby, No. 3:23-CV-231 (VAB), 2024 WL 1241937, at *3 (D. Conn. Mar. 22, 2024)
- Burke v. APT Found., 509 F. Supp. 2d 169, 174 (D. Conn. 2007)
- Ciambriello v. County of Nassau, 292 F.3d 307, 324-25 (2d Cir. 2002)
- Provost v. City of Newburgh, 262 F.3d 146, 155 (2d Cir. 2001)
- Williams v. Smith, 781 F.2d 319, 323 (2d Cir. 1986)
- Owens v. Connecticut, 771 F. Supp. 3d 92, 94 (D. Conn. 2025)
- Cerilli v. Quiros, 768 F. Supp. 3d 363, 367 (D. Conn. 2025)
- Foman v. Davis, 371 U.S. 178, 182 (1962)

- *Lucente v. International Business Machines Corp.*, 310 F.3d 243, 258 (2d Cir. 2002)
- *Harris v. Mills*, 572 F.3d 66, 72 (2d Cir. 2009)

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