

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Marion Thomas v. Daniel McAuliffe, et al.

Thomas v. McAuliffe, No. 25-1399 (7th Cir. Mar. 23, 2026) · No. No. 25-1399 · Decided March 23, 2026

SUMMARY

The United States Court of Appeals for the Seventh Circuit affirmed judgment for the defendants in Marion Thomas’s 42 U.S.C. § 1983 action arising from his arrest by Chicago police officers. The court held that the challenged jury instructions were not erroneous and that the district court did not abuse its discretion in denying a new trial based on the testimony concerning a marijuana grinder or defense counsel’s unanswered question about Thomas’s criminal record. The court concluded that probable cause for any crime could defeat the false-arrest claim and that the instructions adequately addressed obstruction and resistance.

CASE DETAILS

COURT	United States Court of Appeals for the Seventh Circuit
WRITING FOR THE COURT	Ripple; Brennan, Chief Judge; Ripple, Circuit Judge; Taibleson, Circuit Judge
JURISDICTION	United States Court of Appeals for the Seventh Circuit
DECIDED	March 23, 2026
DOCKET	No. 25-1399
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the denial of a motion for a new trial after a jury verdict for defendants in a 42 U.S.C. § 1983 action.
STANDARD OF REVIEW	Jury-instruction challenges are reviewed de novo, while the precise wording of instructions is reviewed for substantial discretion so long as the instructions, viewed as a whole, correctly state the law. The denial of a motion for a new trial is reviewed for abuse of discretion.
PRECEDENTIAL VALUE	published
PARTIES	Marion Thomas v. Daniel McAuliffe, Michael Botica, City of Chicago

TOPICS

- section 1983
- fourth amendment
- appellate procedure
- evidence
- criminal procedure

PRACTICE AREAS

civil rights

constitutional law

appellate procedure

evidence

criminal procedure

QUESTIONS PRESENTED

1. Whether the jury instruction stating that probable cause to arrest for any crime defeats a false-arrest claim misstated the law.
2. Whether the jury instructions adequately explained the relationship between obstructing and resisting a law-enforcement officer under Illinois law.
3. Whether the district court abused its discretion by denying a new trial as a sanction for allegedly fraudulent or misleading testimony concerning a marijuana-related object.
4. Whether defense counsel's unanswered question about Thomas's criminal record required a new trial.

HOLDINGS

1. The instruction was not erroneous because probable cause to arrest for any crime defeats a false-arrest claim, even if the crime was not the offense invoked at the time of arrest.
2. The instructions, read as a whole, correctly and sufficiently informed the jury regarding Thomas's obligation to comply with the officers' commands and whether his conduct obstructed or resisted their authorized acts.
3. The district court did not abuse its discretion by refusing to grant a new trial under Federal Rule of Civil Procedure 60(b)(3) or its inherent sanctioning authority.
4. The unanswered question did not warrant a new trial because the district court sustained the objection, the criminal history was never presented to the jury, and the jury was instructed that lawyers' questions and comments were not evidence.

KEY QUOTATIONS

“Granting a new trial as a sanction is “an extraordinary remedy granted only in exceptional circumstances.”” (12)

“Such an instruction is sufficient to negate any prejudice absent a reason to think that the jury was unable or unwilling to follow the instructions.” (14)

FACTUAL BACKGROUND

Officers stopped Thomas after observing him fail to signal a left turn and smelling marijuana emanating from his vehicle. Thomas refused repeated commands to place the vehicle in park, lower the window, and exit the vehicle; officers removed him from the car and arrested him for obstruction and resisting. A search revealed marijuana-related items, and Thomas was later cited for the traffic violation and marijuana possession. At trial, the jury heard disputed testimony concerning whether one item was called a “grinder” or a “cutter,” and defense counsel asked Thomas about his criminal record, but the court sustained Thomas's objection before he answered.

PROCEDURAL HISTORY

Thomas sued Officers McAuliffe, Botica, Morales, and Sanchez and the City of Chicago, asserting federal claims for illegal search, illegal seizure, false arrest, and excessive force, plus a state-law malicious-prosecution claim. The district court granted summary judgment on the claims against Morales and Sanchez and on the excessive-force and malicious-prosecution claims against the remaining defendants. The remaining claims proceeded to trial, the jury returned a defense verdict, and the district court denied Thomas's motion for a new trial. The Seventh Circuit affirmed.

DISPOSITION

affirmed

CASES CITED

- Saathoff v. Davis, 826 F.3d 925, 932 (7th Cir. 2016)
- O'Donnell v. Caine Weiner Co., 935 F.3d 549, 552 (7th Cir. 2019)
- Gile v. United Airlines, Inc., 213 F.3d 365, 374-75 (7th Cir. 2000)
- Schobert v. Ill. Dep't of Transp., 304 F.3d 725, 729-30 (7th Cir. 2002)
- Devenpeck v. Alford, 543 U.S. 146, 153 (2004)
- Holmes v. Village of Hoffman Estates, 511 F.3d 673, 682 (7th Cir. 2007)
- People v. Fitzpatrick, 986 N.E.2d 1163, 1168 (Ill. 2013)
- People v. Stout, 477 N.E.2d 498, 502 (Ill. 1985)
- People v. Hill, 162 N.E.3d 260, 265 n.2 (Ill. 2020)
- Dawson v. N.Y. Life Ins. Co., 135 F.3d 1158, 1167 (7th Cir. 1998)
- DePaepe v. Gen. Motors Corp., 33 F.3d 737, 742 (7th Cir. 1994)
- People v. Kotlinski, 959 N.E.2d 1230, 1240 (Ill. App. Ct. 2011)
- Pryor v. Corrigan, 124 F.4th 475, 506-07 (7th Cir. 2024) (Rovner, J., concurring in part and dissenting in part)
- Wickens v. Shell Oil Co., 620 F.3d 747, 758-59 (7th Cir. 2010)
- Kelly Fuery v. City of Chicago, Fuery v. City of Chicago, 900 F.3d 450, 463 (7th Cir. 2018)
- Fields v. City of Chicago, 981 F.3d 534, 558 (7th Cir. 2020)
- Barber v. City of Chicago, 725 F.3d 702, 714 (7th Cir. 2013)
- Soltys v. Costello, 520 F.3d 737, 744-45 (7th Cir. 2008)