

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

**Christopher Maya Caballero v. Travis Braswell, Individually, Kyle
Admire, Individually, Dustin Tiner, Individually, and Bethany Hibbs,
Individually**

Case No. 25-CV-0442-CVE-MTS (N.D. Okla. Jan. 12, 2026) · No. 25-CV-0442-CVE-MTS · Decided January
12, 2026

SUMMARY

This Opinion and Order addresses defendants’ motion for partial dismissal of two claims arising from Christopher Maya Caballero’s arrest: a 42 U.S.C. § 1983 unlawful-arrest claim and a common-law false-arrest/false-imprisonment claim. The court considers probable cause, the plaintiff’s nolo contendere plea, qualified immunity, the scope of the alleged seizure, and issue preclusion based on state-court criminal proceedings. The provided text ends during the court’s discussion of Oklahoma issue-preclusion law.

CASE DETAILS

COURT	United States District Court for the Northern District of Oklahoma
WRITING FOR THE COURT	Claire V. Eagan
JURISDICTION	United States District Court for the Northern District of Oklahoma
DECIDED	January 12, 2026
DOCKET	25-CV-0442-CVE-MTS
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendants moved under Federal Rule of Civil Procedure 12(b)(6) for partial dismissal of plaintiff's 42 U.S.C. § 1983 unlawful-arrest claim and Oklahoma common-law false-arrest/false-imprisonment claim.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true, construes them in the plaintiff's favor, and determines whether the complaint alleges enough facts to state a plausible claim for relief. The court may consider the complaint, documents incorporated by reference, and matters subject to judicial notice.
PRECEDENTIAL VALUE	unpublished district court opinion; nonprecedential

TOPICS

motions to dismiss

section 1983

qualified immunity

civil procedure

police misconduct

PRACTICE AREAS

civil rights

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civil procedure

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criminal procedure

QUESTIONS PRESENTED

1. Whether plaintiff's § 1983 unlawful-arrest claim was barred because probable cause had been established by the state criminal proceedings and plaintiff's nolo contendere plea.
2. Whether the alleged forceful interaction constituted one continuous seizure or multiple separate arrests requiring separate probable-cause determinations.
3. Whether defendants were entitled to qualified immunity on the unlawful-arrest claim.
4. Whether plaintiff's Oklahoma common-law false-arrest claim failed because probable cause is a complete defense and plaintiff was precluded from contesting probable cause.
5. Whether plaintiff could maintain a separate false-imprisonment claim against law-enforcement officers where the detention resulted in criminal proceedings.

HOLDINGS

1. The complaint alleged one continuous seizure beginning when Officer Tiner allegedly tackled plaintiff and continuing through the arrest; plaintiff did not allege facts showing that the seizure terminated and a new seizure began.
2. Plaintiff's nolo contendere pleas to the criminal charges precluded him from denying that probable cause existed for his arrest.
3. Defendants were entitled to qualified immunity because probable cause was established, eliminating any constitutional violation.
4. Plaintiff failed to state claims for false arrest or false imprisonment because probable cause was established and the detention resulted in bringing him before a court and securing the administration of the law.

KEY QUOTATIONS

“Although there is no “litmus-paper test” as to when an investigative determination begins, neither party contests that the interaction turned from a “lawful investigative detention” into an arrest after Officer Tiner allegedly tackled plaintiff in the kitchen of his sister’s home.” (at 10)

“Based on Oklahoma state law of preclusion, the fact of plaintiff’s entry of a nolo plea waives any irregularities in the criminal proceedings, and he is now estopped from denying the existence of probable cause at the time of his arrest.” (at 21)

“Therefore, plaintiff cannot state a claim upon which relief may be granted as to his claim of false imprisonment.” (at 24)

FACTUAL BACKGROUND

Plaintiff was arrested on July 13, 2024, after an altercation at his sister and brother-in-law's home, where family members reported that he had been waving a gun. Officers responded, entered the home, and, according to plaintiff, used extensive force against him, including tasing, punching, kicking, tackling, use of a baton, and deployment of a police dog. Plaintiff was charged with six misdemeanors and four felonies; the felony charges were later dismissed, and plaintiff entered nolo contendere pleas to the six misdemeanor charges. At a preliminary hearing, the Creek County District Court found probable cause to believe that a crime had been committed and that plaintiff had committed it.

PROCEDURAL HISTORY

Plaintiff filed a nine-count action in the District Court of Creek County, Oklahoma, arising from his arrest by Creek County Sheriff's Office officers. Defendant Bethany Hibbs removed the action to the Northern District of Oklahoma under 28 U.S.C. § 1441. The court granted defendants' motion to dismiss counts one and six and ordered defendants to answer the remaining counts by January 26, 2026.

DISPOSITION

dismissed

CASES CITED

- Tellabs, Inc. v. Makor Issues & Rights, Ltd., 551 U.S. 308, 322 (2007)
- Gee v. Pacheco, 627 F.3d 1178, 1186 (10th Cir. 2010)
- St. Louis Baptist Temple, Inc. v. Federal Deposit Insurance Corp., 605 F.2d 1169, 1172 (10th Cir. 1979)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Robbins v. Oklahoma ex rel. Department of Human Services, 519 F.3d 1242, 1247 (10th Cir. 2008)
- Kan. Penn Gaming, LLC v. Collins, 656 F.3d 1210, 1214 (10th Cir. 2011)
- Tal v. Hogan, 453 F.3d 1244, 1252, 1264 n.24 (10th Cir. 2006)
- Sutton v. Utah State School for the Deaf & Blind, 173 F.3d 1226, 1236 (10th Cir. 1999)
- Mitchell v. King, 537 F.2d 385, 386 (10th Cir. 1976)
- Becker v. Kroll, 494 F.3d 904, 913 (10th Cir. 2007)
- West v. Atkins, 487 U.S. 42, 48 (1988)
- Stearns v. Clarkson, 615 F.3d 1278, 1282 (10th Cir. 2010)
- Romero v. Fay, 45 F.3d 1472, 1476-77 (10th Cir. 1995)
- Stonecipher v. Valles, 759 F.3d 1134, 1141 (10th Cir. 2014)
- United States v. Martin, 613 F.3d 1295, 1302 (10th Cir. 2010)
- United States v. Muñoz-Nava, 524 F.3d 1137, 1144 (10th Cir. 2008)
- Jones v. City & County of Denver, 854 F.2d 1206, 1210 (10th Cir. 1988)
- United States v. Lopez, 777 F.2d 543, 551 (10th Cir. 1985)

- *Morris v. Noe*, 672 F.3d 1185, 1191-93 (10th Cir. 2012)
- *Oliver v. Woods*, 209 F.3d 1179, 1186 (10th Cir. 2000)
- *Lundstrom v. Romero*, 616 F.3d 1108, 1120 (10th Cir. 2010)
- *Cortez v. McCauley*, 478 F.3d 1108, 1115 (10th Cir. 2007) (en banc)
- *United States v. Dye*, 544 F. Supp. 3d 1138, 1147-48, 1159 (D. Kan. 2021)
- *Torres v. Madrid*, 592 U.S. 306, 317-20 (2021)
- *California v. Hodari D.*, 499 U.S. 621, 625, 627-28 (1991)
- *Asinor v. District of Columbia*, 111 F.4th 1249, 1258 (D.C. Cir. 2024)
- *Allen v. McCurry*, 449 U.S. 90, 95-96, 103-04 (1980)
- *Hubbert v. City of Moore*, 923 F.2d 769, 772-73 (10th Cir. 1991)
- *Miller v. Miller*, 956 P.2d 887, 897-98 (Okla. 1998)
- *Fent v. Oklahoma Natural Gas Co.*, 898 P.2d 126, 133 (Okla. 1994)
- *Oklahoma Department of Public Safety v. McCrady*, 176 P.3d 1194, 1199 (Okla. 2007)
- *Adamson v. Dayton Hudson Corp.*, 774 P.2d 478, 480 (Okla. Civ. App. 1989)
- *James v. Southwest Insurance Co.*, 354 P.2d 408, 412 (Okla. 1960)
- *Christopher v. Circle K Convenience Stores, Inc.*, 937 P.2d 77, 79 (Okla. 1997)
- *Lee v. Knight*, 771 P.2d 1003, 1006 (Okla. 1989)
- *Danner v. Diller Department Stores, Inc.*, 949 P.2d 680, 682 (Okla. 1997)
- *Bell v. Dillard Department Stores, Inc.*, 85 F.3d 1451, 1454 (10th Cir. 1996)
- *Tucker v. City of Oklahoma City*, No. 11-CV-922, 2012 WL 12848198, at *2-3 (W.D. Okla. Sept. 20, 2012)
- *Zanghi v. Incorporated Village of Old Brookville*, 752 F.2d 42, 46 (2d Cir. 1985)
- *Wilkinson v. Pitkin County Board of County Commissioners*, 142 F.3d 1319, 1322 (10th Cir. 1998)
- *Morgan v. State*, 744 P.2d 1280, 1281 (Okla. Crim. App. 1987)
- *Chammat v. Fallis*, No. 13-CV-206-JED-PJC, 2014 WL 916749, at *2 (N.D. Okla. Mar. 10, 2014)
- *United States v. Cartwright*, 678 F.3d 907, 915-16 (10th Cir. 2012)
- *Rose v. Uniroyal Goodrich Tire Co.*, 291 F.3d 1216, 1220 (10th Cir. 2002)
- *Reichle v. Howards*, 566 U.S. 658, 664 (2012)
- *Reeves v. Churchich*, 484 F.3d 1244, 1250 (10th Cir. 2007)
- *Martinez v. Beggs*, 563 F.3d 1082, 1088 (10th Cir. 2009)
- *Swanson v. Town of Mountain View*, 577 F.3d 1196, 1199 (10th Cir. 2009)
- *Mengert v. United States*, 120 F.4th 696, 702 n.2, 715 (10th Cir. 2024)
- *Roberts v. Goodner's Wholesale Foods, Inc.*, 50 P.3d 1149, 1151-52 (Okla. Civ. App. 2002)
- *Gouskos v. Griffith*, 122 F. App'x 965, 970 (10th Cir. 2005)
- *Overall v. State ex rel. Department of Public Safety*, 910 P.2d 1087, 1091 (Okla. Ct. App. 1995)
- *Lewis v. Crystal Gas Co.*, 532 P.2d 431, 433 (Okla. 1974)
- *Allen v. Town of Colcord, Oklahoma*, 847 F. Supp. 2d 1276, 1288 (N.D. Okla. 2012)

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