

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
TEXAS, HOUSTON DIVISION

Joe Anthony Alaniz v. Harris County, et al.

Alaniz · No. 4:22-cv-01991 · Decided December 1, 2025

SUMMARY

The United States District Court for the Southern District of Texas ruled on summary-judgment motions arising from Joe Anthony Alaniz’s arrest during a 2020 George Floyd protest in Houston. The court granted Harris County’s motion, granted Deputy Mark Cannon’s motion as to the false-arrest claim, and denied it as to the excessive-force claim because disputed facts precluded qualified-immunity judgment at the summary-judgment stage.

CASE DETAILS

COURT	United States District Court for the Southern District of Texas, Houston Division
WRITING FOR THE COURT	Charles Eskridge
JURISDICTION	United States District Court for the Southern District of Texas, Houston Division
DECIDED	December 1, 2025
DOCKET	4:22-cv-01991
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought claims under 42 U.S.C. § 1983 against Harris County and Deputy Mark Cannon for false arrest and excessive force. The parties moved for summary judgment, with Cannon asserting qualified immunity.
STANDARD OF REVIEW	Summary judgment is proper when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. Evidence is viewed, and reasonable inferences are drawn, in favor of the nonmoving party. On qualified immunity, once the defense is pleaded, the plaintiff must show a genuine issue concerning violation of a clearly established right; blatantly contradicted and utterly discredited video evidence need not be credited.
PRECEDENTIAL VALUE	unpublished district-court opinion; limited persuasive value

PARTIES

Joe Anthony Alaniz v. Harris County, Mark Cannon

TOPICS

summary judgment

section 1983

qualified immunity

municipal liability

police misconduct

PRACTICE AREAS

civil rights

constitutional law

civil procedure

municipal law

police misconduct

qualified immunity

QUESTIONS PRESENTED

1. Whether Deputy Cannon was entitled to qualified immunity and summary judgment on Alaniz's § 1983 excessive-force claim.
2. Whether Deputy Cannon was entitled to qualified immunity and summary judgment on Alaniz's § 1983 false-arrest claim.
3. Whether Harris County was entitled to summary judgment on Monell claims based on an unconstitutional policy or practice, failure to train, and ratification.

HOLDINGS

1. Summary judgment was inappropriate on the excessive-force claim because disputed issues of material fact existed concerning the reasonableness and proportionality of Cannon's use of force. Cannon was not entitled to qualified immunity at the summary-judgment stage.
2. Cannon was entitled to qualified immunity and summary judgment on the false-arrest claim because Alaniz's admission that he pulled away from Cannon while Cannon attempted to handcuff him supplied at least arguable probable cause to believe Alaniz was resisting arrest.
3. Harris County was entitled to summary judgment on Alaniz's Monell policy-or-practice theories because he failed to establish an official policy or persistent custom, policymaker knowledge, and causation.
4. Harris County was entitled to summary judgment on the failure-to-train claim because Alaniz did not identify an inadequate training program, deliberate indifference, or causation.
5. Harris County was entitled to summary judgment on the ratification claim because failure to discipline or mere acquiescence did not establish policymaker approval of the subordinate's decision and the case was not an extreme factual situation.

KEY QUOTATIONS

“A violation of the Fourth Amendment ‘occurs when a seized person suffers an injury that results directly and only from a clearly excessive and objectively unreasonable use of force.’” (Section 3(a)(i))

“Trammell and Goodson are both fair warning that such conduct may be unconstitutional.” (Section 3(a)(ii))

“This is ‘a stringent standard of fault,’ one ‘requiring proof that a municipal actor disregarded a known or obvious consequence of his action.’” (Section 4(b))

FACTUAL BACKGROUND

On May 29, 2020, Joe Anthony Alaniz encountered a protest in downtown Houston while riding a bicycle and filming the event. Deputy Mark Cannon ordered Alaniz to move, and after Alaniz continued walking with his bicycle while filming, Cannon attempted to handcuff him and took him to the ground. Alaniz suffered a shoulder separation and claimed that the arrest involved excessive force and lacked probable cause. Alaniz had a brain tumor that made him prone to seizures and wore emergency medical alert bracelets, but the court's summary-judgment analysis focused primarily on the disputed circumstances of the arrest and force used.

PROCEDURAL HISTORY

Alaniz filed suit in Texas state court in May 2022, and defendants removed the action to federal court. After multiple amended pleadings and dismissals, the operative second amended complaint asserted § 1983 claims against Cannon and Harris County. The court denied or partially denied earlier motions to dismiss, and the parties then filed motions for summary judgment. The court granted Harris County's motion, granted Cannon's motion as to false arrest, and denied it as to excessive force.

DISPOSITION

other

CASES CITED

- Sulzer Carbomedics Inc. v. Oregon Cardio-Devices Inc., 257 F.3d 449, 456 (5th Cir.)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248 (1986)
- Royal v. CCC & R Tres Arboles, LLC, 736 F.3d 396, 400 (5th Cir.)
- Smith v. Harris County, 956 F.3d 311, 316 (5th Cir.)
- Little v. Liquid Air Corp., 37 F.3d 1069, 1075 (5th Cir.)
- Connors v. Graves, 538 F.3d 373, 376 (5th Cir.)
- Nola Spice Designs LLC v. Haydel Enterprises Inc., 783 F.3d 527, 536 (5th Cir.)
- Celotex Corp. v. Catrett, 477 U.S. 317, 322–23 (1986)
- Bellard v. Gautreaux, 675 F.3d 454, 460 (5th Cir.)
- Pearson v. Callahan, 555 U.S. 223, 231 (2009)
- Harlow v. Fitzgerald, 457 U.S. 800, 818 (1982)
- Thompson v. Upshur County, 245 F.3d 447, 457 (5th Cir.)
- Hunt v. Pierson, 730 F. App'x 210, 215–16 (5th Cir.)
- Brown v. Callahan, 623 F.3d 249, 253 (5th Cir.)
- Hanks v. Rogers, 853 F.3d 738, 744–46 (5th Cir.)
- Spiller v. Harris County, 113 F.4th 573, 576 (5th Cir.)
- Joseph ex rel. Joseph v. Bartlett, 981 F.3d 319, 332 (5th Cir.)
- Graham v. Connor, 490 U.S. 386, 396–97 (1989)
- Barnes v. Felix, 605 U.S. 73, 79 (2025)

- Trammell v. Fruge, 868 F.3d 332, 340–42 (5th Cir.)
- Hatcher v. Bement, 676 F. App'x 238, 243 (5th Cir.)
- Deville v. Marcantel, 567 F.3d 156, 167 (5th Cir.)
- Goodson v. City of Corpus Christi, 202 F.3d 730, 734, 740 (5th Cir.)
- Tarver v. City of Edna, 410 F.3d 745, 750 (5th Cir.)
- Plumhoff v. Rickard, 572 U.S. 765, 778–79 (2014)
- Anokwuru v. City of Houston, 990 F.3d 956, 963 (5th Cir.)
- Haggerty v. Texas Southern University, 391 F.3d 653, 655–56 (5th Cir.)
- Shemwell v. Cannon, 352 F. Supp. 3d 690, 701 (N.D. Tex.)
- Devenpeck v. Alford, 543 U.S. 146, 153–54 (2004)
- Club Retro LLC v. Hilton, 568 F.3d 181, 206–07 (5th Cir.)
- Glenn v. City of Tyler, 242 F.3d 307, 313 (5th Cir.)
- Ramirez v. Martinez, 716 F.3d 369, 376–77 (5th Cir.)
- Monell v. Department of Social Services, 436 U.S. 658, 691 (1978)
- Pineda v. City of Houston, 291 F.3d 325, 328–29 (5th Cir.)
- Doe v. Edgewood Independent School District, 964 F.3d 351, 364–65 (5th Cir.)
- Pembaur v. Cincinnati, 475 U.S. 469, 479 (1986)
- Zarnow v. City of Wichita Falls, 614 F.3d 161, 168 (5th Cir.)
- Ratliff v. Aransas County, 948 F.3d 281, 285 (5th Cir.)
- Peterson v. City of Fort Worth, Texas, 588 F.3d 838, 848, 851–52 (5th Cir.)
- Webster v. City of Houston, 735 F.3d 838, 841–42 (5th Cir.)
- Connick v. Thompson, 563 U.S. 51, 61–62 (2011)
- Conner v. Travis County, 209 F.3d 794, 796 (5th Cir.)
- Baker v. Putnal, 75 F.3d 190, 200 (5th Cir.)
- City of Canton v. Harris, 489 U.S. 378, 390–91 (1989)
- Snyder v. Trepagnier, 142 F.3d 791, 798 (5th Cir.)
- Roberts v. City of Shreveport, 397 F.3d 287, 293 (5th Cir.)
- O'Neal v. City of San Antonio, 344 F. App'x 885, 888 (5th Cir.)
- Benavides v. County of Wilson, 955 F.2d 968, 973 (5th Cir.)
- Hutcheson v. Dallas County, 994 F.3d 477, 482–83 (5th Cir.)
- Grandstaff v. City of Borger, 767 F.2d 161, 168 (5th Cir.)
- World Wide Street Preachers Fellowship v. Town of Columbia, 591 F.3d 747, 755 (5th Cir.)
- Benfer v. City of Baytown, Texas, 120 F.4th 1272, 1287 (5th Cir.)
- Allen v. Hays, 65 F.4th 736, 749 n. 10 (5th Cir.)