

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Purnell v. Mora

Purnell v. Mora · No. 1:19-cv-00210-KES-BAM · Decided September 11, 2025

SUMMARY

Findings and Recommendations from the United States District Court for the Eastern District of California concerning Defendant R. T. Mora’s motions for partial judgment on the pleadings, sanctions, and summary judgment. The action involves claims arising from an allegedly excessive-force arrest and racial insult during a traffic stop. The court recommends granting summary judgment for Defendant, denying the motion for partial judgment on the pleadings as moot, and denying sanctions.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Barbara A. McAuliffe
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	September 11, 2025
DOCKET	1:19-cv-00210-KES-BAM
DISPOSITION	other
PROCEDURAL POSTURE	Findings and recommendations on defendant's motion for summary judgment, motion for partial judgment on the pleadings, and motion for Rule 11 sanctions in a pro se civil-rights action.
STANDARD OF REVIEW	Summary judgment is appropriate when there is no genuine dispute of material fact and the movant is entitled to judgment as a matter of law. The court viewed admissible evidence in the light most favorable to Plaintiff, did not make credibility determinations, and applied the objective-reasonableness standard to the excessive-force claim. For the Rule 12(c) motion, the court applied the same standard as Rule 12(b), accepting the nonmovant's pleaded facts. Rule 11 sanctions required a filing to be frivolous, legally unreasonable, without factual foundation, or brought for an improper purpose.
PRECEDENTIAL VALUE	nonprecedential

PARTIES

Georgette G. Purnell v. R. T. Mora

TOPICS

section 1983

police misconduct

summary judgment

fourteenth amendment

civil procedure

PRACTICE AREAS

civil rights

constitutional law

police misconduct

federal civil procedure

evidence

QUESTIONS PRESENTED

1. Whether Defendant Mora used excessive force in violation of the Fourth Amendment when he controlled Plaintiff's arms and handcuffed her during the traffic-stop detention.
2. Whether Plaintiff produced sufficient evidence that Defendant Mora acted with intentional racial discrimination in violation of the Fourteenth Amendment or the surviving racial-insult claim under 42 U.S.C. § 1981.
3. Whether Defendant's motion for partial judgment on the pleadings should be denied as moot after summary judgment disposed of all remaining claims.
4. Whether Plaintiff's filings warranted sanctions under Federal Rule of Civil Procedure 11.

HOLDINGS

1. Defendant Mora's use of force was objectively reasonable under the totality of the circumstances and did not violate the Fourth Amendment.
2. Plaintiff failed to produce evidence from which a reasonable factfinder could conclude that Defendant Mora acted with intentional racial discrimination.
3. Defendant was not entitled to Rule 11 sanctions because the record did not establish that Plaintiff's filings were frivolous, baseless, legally unreasonable, unsupported by a reasonable inquiry, or brought for an improper purpose.

KEY QUOTATIONS

“Because Defendant used minimal force against Plaintiff under the circumstances, the force used by Defendant was “objectively reasonable in light of the facts and circumstances” confronting Defendant.”
(Discussion § II.A.3)

“Defendant’s motion for partial judgment on the pleadings be DENIED as moot.” (Conclusion and Recommendation)

FACTUAL BACKGROUND

The case arose from a Fresno, California traffic stop on August 30, 2018, after officers observed a vehicle with expired registration and received information that a firearm might be in the vehicle. Plaintiff disputed the officers' account, but the body-worn-camera footage showed her yelling profanities, lunging toward Defendant

Mora with documents near his face, and resisting efforts to handcuff her. Mora and other officers controlled Plaintiff's arms, placed her in handcuffs, and detained her briefly; Plaintiff reported arm pain and was treated by paramedics at the scene. Plaintiff alleged that Mora twisted her arm excessively and used a racial slur, but the court found no racial slur on the continuous body-camera recording and found her evidence of alteration conclusory.

PROCEDURAL HISTORY

Plaintiff filed a civil-rights complaint arising from an August 30, 2018 traffic stop and arrest. After screening the amended complaint, the court allowed an excessive-force claim under the Fourth Amendment and a racial-insult claim under 42 U.S.C. § 1981 to proceed against Defendant Mora and recommended dismissal of the other claims and defendants; the assigned district judge adopted that recommendation. Defendant moved for partial judgment on the pleadings, sanctions, and summary judgment. The magistrate judge recommended granting summary judgment, denying the pleading motion as moot, and denying sanctions, subject to fourteen-day objections and review by the assigned district judge.

DISPOSITION

other

CASES CITED

- Jones v. Blanas, 393 F.3d 918, 923 (9th Cir. 2004)
- Johnson v. Meltzer, 134 F.3d 1393, 1399-1400 (9th Cir. 1998)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 247-48, 255 (1986)
- Celotex Corp. v. Catrett, 477 U.S. 317, 323 (1986)
- Soremekun v. Thrifty Payless, Inc., 509 F.3d 978, 984 (9th Cir. 2007)
- F.T.C. v. Stefanchik, 559 F.3d 924, 929 (9th Cir. 2009)
- Young v. County of Los Angeles, 655 F.3d 1156, 1160 (9th Cir. 2011)
- Richards v. Nielsen Freight Lines, 602 F. Supp. 1224, 1244-45 (E.D. Cal. 1985), aff'd, 810 F.2d 898 (9th Cir. 1987)
- Cafasso, U.S. ex rel. v. General Dynamics C4 Systems, Inc., 637 F.3d 1047, 1053-54 & n.4 (9th Cir. 2011)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- McMahon v. Pier 39 Ltd. Partnership, No. C03-00251 CRB, 2003 WL 22939233, at *6 (N.D. Cal. Dec. 5, 2003)
- Uzun v. City of Santa Monica, 54 F.4th 595, 596 (9th Cir. 2022)
- Stakey v. O'Brien, No. 1:22-CV-00513-AKB, 2025 WL 461403, at *9 (D. Idaho 2025)
- Scott v. Harris, 550 U.S. 372, 378-80 (2007)
- Seidner v. de Vries, 39 F.4th 591, 595, 599 (9th Cir. 2022)
- Hunt v. City of Boulder City, 799 F. App'x 533, 535 (9th Cir. 2020)
- Hernandez v. Town of Gilbert, 989 F.3d 739, 746 (9th Cir. 2021)

- Taylor v. List, 880 F.2d 1040, 1045-46 (9th Cir. 1989)
- Matsushita Electric Industrial Co. v. Zenith Radio Corp., 475 U.S. 574, 586-87 (1986)
- Graham v. Connor, 490 U.S. 386, 396-97 (1989)
- Tennessee v. Garner, 471 U.S. 1, 8 (1985)
- Smith v. City of Hemet, 394 F.3d 689, 701 (9th Cir. 2005)
- Hopson v. Alexander, 71 F.4th 692, 705-06 (9th Cir. 2023)
- Hansen v. Black, 885 F.2d 642, 645 (9th Cir. 1989)
- Robinson v. Solano County, 278 F.3d 1007, 1014 (9th Cir. 2002)
- Donovan v. Phillips, 685 F. App'x 611, 612 (9th Cir. 2017)
- Bryan v. MacPherson, 630 F.3d 805, 826, 828 (9th Cir. 2010)
- Deskins v. City of Bremerton, 388 F. App'x 750, 752 (9th Cir. 2010)
- Vernon v. City of Santa Barbara, 485 F. App'x 221, 224 (9th Cir. 2012)
- Lowry v. City of San Diego, 858 F.3d 1248, 1256 (9th Cir. 2017) (en banc)
- S.R. Nehad v. Browder, 929 F.3d 1125, 1138-40 (9th Cir. 2019)
- A.D. v. California Highway Patrol, 712 F.3d 446, 453 (9th Cir. 2013)
- Bingham v. City of Manhattan Beach, 341 F.3d 939, 948-49 (9th Cir. 2003)
- Reese v. Jefferson School District No. 14J, 208 F.3d 736, 740 (9th Cir. 2000)
- Leon v. Weiss, No. 2:22-CV-2170 TLN KJNP, 2023 WL 4686805, at *5 (E.D. Cal. July 21, 2023)
- Smith v. Hernandez, No. 1:16-CV-01267-DAD-SAB-PC, 2017 WL 5192352, at *6 (E.D. Cal. Nov. 9, 2017), report and recommendation adopted, 2018 WL 3357433 (E.D. Cal. July 9, 2018)
- Cortes-Salcedo v. City of Redding, No. 2:20-CV-0048 DB P, 2020 WL 5569621, at *4 (E.D. Cal. Sept. 17, 2020)
- King v. City of Eastpointe, 86 F. App'x 790, 807 (6th Cir. 2003)
- Fink v. Gomez, 239 F.3d 989, 994 (9th Cir. 2001)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)
- Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)