

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Ruben Rivas Flores v. Jason Gonzalez, et al.

Flores · No. 1:24-cv-00229-KES-CDB · Decided January 13, 2026

SUMMARY

This document is a tentative pretrial order issued by the United States District Court for the Eastern District of California in Ruben Rivas Flores v. Jason Gonzalez, et al., No. 1:24-cv-00229-KES-CDB. It addresses the parties’ disputed and undisputed facts, anticipated motions in limine, requested relief, and legal issues concerning alleged unreasonable seizure and excessive force under the Fourth Amendment and 42 U.S.C. § 1983. The order sets deadlines for pretrial filings and identifies a jury trial scheduled for June 16, 2026.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
DECIDED	January 13, 2026
DOCKET	1:24-cv-00229-KES-CDB
DISPOSITION	other
PROCEDURAL POSTURE	Tentative pretrial order following a final pretrial conference in an action removed from Kern County Superior Court. The case was set for a jury trial on claims under 42 U.S.C. § 1983 alleging unreasonable seizure and excessive force in violation of the Fourth Amendment.
STANDARD OF REVIEW	No appellate standard of review applies. The order states the governing standards for Fourth Amendment seizure, excessive-force, qualified-immunity, probable-cause, and evidentiary issues that may be presented at trial.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Ruben Rivas Flores v. Jason Gonzalez, Kayla Wainwright, Chase Hammons, Jeffrey Martin, City of Bakersfield

TOPICS

- civil procedure
- section 1983
- police misconduct
- qualified immunity

PRACTICE AREAS

QUESTIONS PRESENTED

1. What issues and defenses remain for trial concerning alleged unreasonable seizure and excessive force under the Fourth Amendment?
2. What elements, burdens of proof, and legal standards govern the § 1983 seizure and excessive-force claims?
3. What standard governs defendants' qualified-immunity defense?
4. What pretrial deadlines and evidentiary procedures govern motions in limine, witnesses, exhibits, discovery materials, jury instructions, and trial?
5. Whether the trial should be bifurcated as to punitive-damages amount.

HOLDINGS

1. If no objections are filed, the tentative pretrial order becomes final and controls the subsequent course of the action; once final, it may be modified only to prevent manifest injustice.
2. A motion in limine precluding evidence will be granted only when the moving party establishes that the evidence clearly is not admissible for any valid purpose, and the parties must meet and confer before filing such motions.
3. Causes of action and affirmative defenses not explicitly asserted in the points of law when the pretrial order becomes final are dismissed and deemed waived.
4. The trial will be bifurcated concerning the amount of punitive damages if the jury first finds punitive-damages liability; evidence and argument concerning the amount may not be presented during the liability phase.

KEY QUOTATIONS

“this order shall control the subsequent course of this action and shall be modified “only to prevent manifest injustice.”” (at 31)

“ANY CAUSES OF ACTION OR AFFIRMATIVE DEFENSES NOT EXPLICITLY ASSERTED IN THE PRETRIAL ORDER UNDER POINTS OF LAW AT THE TIME IT BECOMES FINAL ARE DISMISSED AND DEEMED WAIVED.” (at 14)

FACTUAL BACKGROUND

The claims arise from an encounter between Ruben Rivas Flores and Bakersfield police officers in Kern County, California, on or about November 26, 2022. Plaintiff alleges that officers seized and arrested him without probable cause and used excessive force, including tackling, baton strikes, continued force after handcuffing, and pressure to his neck and back. The parties dispute whether Flores posed a threat, resisted or attempted to flee, and suffered physical, psychological, and economic injuries.

PROCEDURAL HISTORY

Plaintiff filed a damages action in Kern County Superior Court on January 5, 2024. Defendants removed the action to federal court on February 22, 2024. The district court later granted in part defendants' motion to dismiss, entered a scheduling order, conducted a final pretrial conference on January 12, 2026, and issued this tentative pretrial order setting deadlines and governing the conduct of the anticipated June 2026 jury trial.

DISPOSITION

other

CASES CITED

- *Graham v. Connor*, 490 U.S. 386, 388, 396-97 (1989)
- *Glenn v. Washington County*, 673 F.3d 864, 871 (9th Cir. 2011)
- *Miller v. Clark County*, 340 F.3d 959, 964 (9th Cir. 2003)
- *Drummond v. City of Anaheim*, 343 F.3d 1052, 1057 (9th Cir. 2003)
- *Reichle v. Howards*, 566 U.S. 658, 664 (2012)
- *Ashcroft v. al-Kidd*, 563 U.S. 731, 741, 743 (2011)
- *Mullenix v. Luna*, 577 U.S. 7, 12 (2015)
- *Hope v. Pelzer*, 536 U.S. 730, 741 (2002)
- *United States v. Lanier*, 520 U.S. 259, 271 (1997)
- *Gravelet-Blondin v. Shelton*, 728 F.3d 1086, 1093 (9th Cir. 2013)
- *LaLonde v. County of Riverside*, 204 F.3d 947, 960 (9th Cir. 2000)
- *Bryan v. MacPherson*, 630 F.3d 805, 826 (9th Cir. 2010)
- *Carey v. Piphus*, 435 U.S. 247, 264 (1978)
- *Memphis Community School District v. Stachura*, 477 U.S. 299, 307 (1986)
- *Smith v. Wade*, 461 U.S. 30, 56 (1983)
- *Mattos v. Agarano*, 661 F.3d 433, 440 (9th Cir. 2011)
- *Pearson v. Callahan*, 555 U.S. 223, 231 (2009)
- *Mueller v. Auker*, 576 F.3d 979, 992 (9th Cir. 2009)
- *Mitchell v. Forsyth*, 472 U.S. 511, 526 (1985)
- *Brosseau v. Haugen*, 543 U.S. 194, 198 (2004)
- *Ziglar v. Abbasi*, 137 S. Ct. 1843, 1866-67 (2017)
- *Malley v. Briggs*, 475 U.S. 335, 341 (1986)
- *Jeffers v. Gomez*, 267 F.3d 895, 909 (9th Cir. 2001)
- *Saucier v. Katz*, 533 U.S. 194, 201 (2001)
- *White v. Pauly*, 137 S. Ct. 548, 551-52 (2017)
- *Kisela v. Hughes*, 138 S. Ct. 1148, 1152-53 (2018)
- *T.D.P. v. City of Oakland*, 2019 U.S. Dist. [citation incomplete in source]
- *Norse v. City of Santa Clara*, 629 F.3d 966, 978 (9th Cir. 2011)

- *Cabrera v. City of Huntington Park*, 159 F.3d 374, 380 (9th Cir. 1998)
- *Atwater v. City of Lago Vista*, 532 U.S. 318, 354 (2001)
- *Maryland v. Pringle*, 540 U.S. 366, 371 (2003)
- *United States v. Collins*, 427 F.3d 688, 691 (9th Cir. 2005)
- *Tatum v. City & County of San Francisco*, 441 F.3d 1090, 1094 (9th Cir. 2006)
- *Devenpeck v. Alford*, 543 U.S. 146, 152-53 (2004)
- *Vanegas v. City of Pasadena*, 46 F.4th 1159, 1164 (9th Cir. 2022)
- *Kaley v. United States*, 571 U.S. 320, 337 (2014)
- *Turner v. Craig*, 2010 U.S. Dist. LEXIS 3356, at *5 (N.D. Cal. Jan. 14, 2010)
- *Cornell v. City & County of San Francisco*, 17 Cal. App. 5th 766, 788 (2017)
- *Hamilton v. City of San Diego*, 217 Cal. App. 3d 838, 846 (1990)
- *People v. Allen*, 109 Cal. App. 3d 981, 987 (1980)
- *Hensley v. Eckerhart*, 461 U.S. 424 (1983)