

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

White v. Bagshaw

White v. Bagshaw · No. Civil Action No. 1:24-cv-00018 (CJN) · Decided March 13, 2026

SUMMARY

The United States District Court for the District of Columbia grants Metropolitan Police Department officers’ motion for judgment on the pleadings in a § 1983 action arising from the January 6, 2021 Capitol riot. The court holds that the officers are entitled to qualified immunity because the plaintiff failed to identify clearly established precedent showing that the alleged use of force violated the Fourth Amendment. The court also rejects the related supervisory-liability claim.

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	Carl J. Nichols
JURISDICTION	United States District Court for the District of Columbia
DECIDED	March 13, 2026
DOCKET	Civil Action No. 1:24-cv-00018 (CJN)
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved for judgment on the pleadings under Federal Rule of Civil Procedure 12(c), asserting qualified immunity against the plaintiff's remaining claims under 42 U.S.C. § 1983.
STANDARD OF REVIEW	On a Rule 12(c) motion, the court applies the same standard governing Rule 12(b)(6) motions and accepts plausible factual allegations as true. Judgment is proper when no material issue of fact remains and the moving party is entitled to judgment as a matter of law. Qualified immunity is assessed under the two-prong framework requiring a constitutional violation and violation of a clearly established right, although the court may address either prong first.
PRECEDENTIAL VALUE	published
PARTIES	Victoria Charity White v. Jason Bagshaw, McAllister

TOPICS

qualified immunity

section 1983

police misconduct

motion for judgment on the pleadings

fourth amendment

PRACTICE AREAS

civil rights

constitutional law

civil procedure

remedies

QUESTIONS PRESENTED

1. Whether Bagshaw and McAllister were entitled to qualified immunity on White's Fourth Amendment excessive-force claims because White failed to identify clearly established precedent placing the alleged conduct beyond debate.
2. Whether Bagshaw was entitled to qualified immunity on White's § 1983 supervisory-responsibility claim.
3. Whether the Court should construe White's excessive-force allegations as a Fifth Amendment due-process claim when that theory was raised for the first time in her opposition brief.

HOLDINGS

1. Bagshaw and McAllister are entitled to qualified immunity because, even assuming their conduct violated White's Fourth Amendment rights, White failed to show that the asserted right was clearly established in the specific context of officers using force against participants in the January 6 Capitol riot inside the Lower West Terrace Tunnel.
2. Bagshaw is entitled to qualified immunity on White's supervisory-responsibility claim because White failed to establish a constitutional violation and a clearly established right underlying the excessive-force claim.
3. The Court declined to construe White's allegations as a Fifth Amendment due-process claim because a party may not amend a complaint through an opposition brief.

KEY QUOTATIONS

“Thus, to proceed past qualified immunity, the Court must “identify a case where an officer acting under similar circumstances as [the defendant officers] was held to have violated the Fourth Amendment.”” (at 6)

“Although her treatment in the process is harrowing, the Court cannot say that as of January 6, 2021, the use of force by officers defending the Capitol during an active riot, in a confined tunnel setting, against members of a crowd pressing into that building, constituted a clear violation of White’s Fourth Amendment rights.” (at 11)

FACTUAL BACKGROUND

Victoria White attended the January 6, 2021 rally at the Ellipse and went to the Capitol grounds, where a crowd breached barricades and later pressed into the Lower West Terrace Tunnel. She alleged that Officer Jason Bagshaw repeatedly struck and punched her and that Officer McAllister slammed her against a concrete wall while officers and rioters were engaged in a confined melee. White had previously pleaded guilty to felony civil

disorder and admitted participating in the movement of another rioter into the tunnel, where rioters pushed against Metropolitan Police Department officers. She was later arrested at home and pleaded guilty.

PROCEDURAL HISTORY

White filed an amended complaint asserting Fourth and Fourteenth Amendment claims and a supervisory-responsibility claim under 42 U.S.C. § 1983 against Metropolitan Police Department officers Bagshaw and McAllister. The Court previously dismissed the Fourteenth Amendment and official-capacity claims without prejudice after White did not oppose the officers' partial motions to dismiss. The Court granted the officers' Rule 12(c) motion as to the remaining Fourth Amendment excessive-force and supervisory-liability claims on qualified-immunity grounds.

DISPOSITION

other

CASES CITED

- United States v. White, No. 1:21-cr-00563, ECF No. 82
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- ACF Renewable Energy Ltd. v. Republic of Bulgaria, 804 F. Supp. 3d 141, 148 (D.D.C. 2025)
- Jenson v. Huerta, 828 F. Supp. 2d 174, 179 (D.D.C. 2011)
- Akers v. Watts, 589 F. Supp. 2d 12, 15 (D.D.C. 2008)
- Tapp v. WMATA, 306 F. Supp. 3d 383, 391 (D.D.C. 2018)
- Garcia v. Stewart, 531 F. Supp. 3d 194, 203 (D.D.C. 2021)
- Allen v. U.S. Dep't of Educ., 755 F. Supp. 2d 122, 125 (D.D.C. 2010)
- Filarsky v. Delia, 566 U.S. 377, 383 (2012)
- Mullenix v. Luna, 577 U.S. 7, 11, 13 (2015)
- Pearson v. Callahan, 555 U.S. 223, 231, 237 (2009)
- White v. Pauly, 580 U.S. 73, 79-80 (2017)
- Doe v. District of Columbia, 796 F.3d 96, 104 (D.C. Cir. 2015)
- Redmond v. Fulwood, 859 F.3d 11, 13 (D.C. Cir. 2017)
- Torres v. Madrid, 592 U.S. 306, 311, 317 (2021)
- Harris v. Bowser, 369 F. Supp. 3d 93, 100 (D.D.C. 2019)
- Brower v. County of Inyo, 489 U.S. 593, 599 (1989)
- Plumhoff v. Rickard, 572 U.S. 765, 774-75 (2014)
- Graham v. Connor, 490 U.S. 386, 396 (1989)
- Hedgpeth v. Rahim, 893 F.3d 802, 806 (D.C. Cir. 2018)
- Scott v. Harris, 550 U.S. 372, 377, 380-81 (2007)
- United States v. Munchel, 991 F.3d 1273, 1284 (D.C. Cir. 2021)

- Packard v. Budja, 86 F.4th 859, 862-63, 870 (10th Cir. 2023)
- Fischer v. District of Columbia, No. 24-cv-00044, 2025 WL 894445, at *10-*11 (D.D.C. Mar. 24, 2025)
- District of Columbia v. Wesby, 583 U.S. 48, 62 n.7, 63 (2018)
- Trump v. Thompson, 20 F.4th 10, 33 (D.C. Cir. 2021)
- Davis v. Scherer, 468 U.S. 183, 194 (1984)
- Elkins v. District of Columbia, 610 F. Supp. 2d 52, 64 (D.D.C. 2009)
- Int'l Action Ctr. v. United States, 365 F.3d 20, 28 (D.C. Cir. 2004)
- Lewis v. District of Columbia, 768 F. Supp. 3d 76, 107 (D.D.C. 2025)
- Singh v. District of Columbia, 55 F. Supp. 3d 55, 70 (D.D.C. 2014)

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