

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Jasmine Rodriguez v. City of Tempe, et al.

Jasmine Rodriguez v. City of Tempe, No. CV-25-01488-PHX-KML (D. Ariz. Jan. 12, 2026) · No. No. CV-25-01488-PHX-KML · Decided January 13, 2026

SUMMARY

The United States District Court for the District of Arizona grants the City of Tempe’s motion to dismiss Jasmine Rodriguez’s 42 U.S.C. § 1983 municipal-liability claim, allowing leave to amend. The court finds that the complaint insufficiently pleads a municipal policy, custom, or inadequate-training theory under Monell, while Rodriguez’s excessive-force and negligence claims proceed.

CASE DETAILS

COURT	United States District Court for the District of Arizona
WRITING FOR THE COURT	Krissa M. Lanham
JURISDICTION	United States District Court for the District of Arizona
DECIDED	January 13, 2026
DOCKET	No. CV-25-01488-PHX-KML
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought claims under 42 U.S.C. § 1983 for excessive force and municipal liability, along with negligence claims. The City of Tempe moved to dismiss the municipal-liability claim under Rule 12(b)(6)-type pleading standards. The court granted the motion with leave to amend.
STANDARD OF REVIEW	On a motion to dismiss, the court accepts well-pleaded factual allegations as true and determines whether the complaint contains sufficient factual matter to state a facially plausible claim for relief.
PRECEDENTIAL VALUE	unpublished district court order; persuasive authority only

TOPICS

- motions to dismiss
- municipal liability
- section 1983
- civil rights
- civil procedure

PRACTICE AREAS

- civil rights
- civil procedure
- municipal liability
- torts

QUESTIONS PRESENTED

1. Whether Rodriguez plausibly pleaded a § 1983 municipal-liability claim against the City of Tempe under a policy-or-custom theory.
2. Whether Rodriguez plausibly pleaded municipal liability based on inadequate training.
3. Whether the municipal-liability claim should be dismissed with or without leave to amend.

HOLDINGS

1. A municipality cannot be held liable under § 1983 solely on a respondeat-superior theory for an injury allegedly inflicted by its employee; municipal liability requires a qualifying municipal policy, custom, deliberate-indifference-based failure to train, or action or ratification by a final policymaker.
2. Rodriguez failed to state a municipal-liability claim under a policy-or-custom theory because she did not identify a particular policy or persistent and widespread custom, explain why it was unconstitutional, or plead facts showing that the policy or custom caused her injury.
3. Rodriguez failed to state a municipal-liability claim based on inadequate training because she did not allege facts showing that Tempe decisionmakers were on notice of a particular training omission, a pattern of similar constitutional violations, or deliberate indifference.
4. Dismissal of the municipal-liability claim was without prejudice because Rodriguez might be able to allege additional facts supporting a Monell claim.

KEY QUOTATIONS

“To survive a motion to dismiss, a complaint must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’” (Opinion at 2)

“A municipality may not be sued under § 1983 solely because an injury was inflicted by its employees or agents.” (Opinion at 3)

“A pattern of similar constitutional violations by untrained employees is ordinarily necessary to demonstrate deliberate indifference” (Opinion at 5)

“The first amended complaint does not allege a Monell claim against Tempe but Rodriguez is granted leave to amend.” (Opinion at 6)

FACTUAL BACKGROUND

Rodriguez alleged that Tempe police officers attempted to arrest a third party near a movie-theater ticket booth while she was leaving a bar. She claimed Officer Benjamin Trotter grabbed her from behind, forcibly detained her, and slammed her face into the ticket booth without providing instructions or warnings, causing facial injuries. Her municipal-liability allegations asserted that Tempe maintained inadequate policies, training, and supervision and ratified widespread unconstitutional practices, but did not identify a specific policy or custom or allege a pattern of similar violations.

PROCEDURAL HISTORY

Jasmine Rodriguez filed suit against Tempe police officer Benjamin Trotter and the City of Tempe. Trotter and Tempe answered the excessive-force and negligence claims, while Tempe moved to dismiss the § 1983 municipal-liability claim. The district court granted the motion to dismiss Count II with leave to amend and directed the parties to proceed with Rule 26(f) case-management obligations.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand. Rodriguez may file an amended complaint by January 26, 2026. If she does not amend, the excessive-force and negligence claims will proceed. The parties must meet and confer under Rule 26(f) and file a joint case-management report and proposed case-management order within four weeks of the order.

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007)
- Long v. County of Los Angeles, 442 F.3d 1178, 1185 (9th Cir. 2006)
- Monell v. Department of Social Services of City of New York, 436 U.S. 658, 690-91 (1978)
- Rodriguez v. County of Los Angeles, 891 F.3d 776, 802-03 (9th Cir. 2018)
- Gordon v. County of Orange, 6 F.4th 961, 973-74 (9th Cir. 2021)
- Trevino v. Gates, 99 F.3d 911, 918 (9th Cir. 1996)
- Connick v. Thompson, 563 U.S. 51, 61-62 (2011)
- Ames v. City of Tempe, No. CV-20-02102-PHX-DWL, 2021 WL 5578868, at *4 (D. Ariz. Nov. 29, 2021)