

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

Brooks v. McKimmie

Civ. No. DLB-23-208 (D. Md. Apr. 30, 2026) · No. Civ. No. DLB-23-208 · Decided April 30, 2026

SUMMARY

The United States District Court for the District of Maryland denied a deputy sheriff’s Rule 50(b) motion seeking qualified immunity from a Fourth Amendment unlawful-arrest judgment. The court held that, viewing the evidence favorably to the plaintiff, no reasonable officer could have believed there was probable cause to arrest him for trespassing when he immediately attempted to comply with an order to leave. The court also denied the plaintiff’s Rule 59(e) motion, concluding that the deputy was immune under the Maryland Tort Claims Act from state-law and state constitutional claims because he acted within the scope of his duties and the jury found no malice.

CASE DETAILS

COURT	United States District Court for the District of Maryland
WRITING FOR THE COURT	Deborah L. Boardman
JURISDICTION	United States District Court for the District of Maryland
DECIDED	April 30, 2026
DOCKET	Civ. No. DLB-23-208
DISPOSITION	other
PROCEDURAL POSTURE	Post-trial motions following a jury verdict in favor of Brooks on Fourth Amendment and Maryland-law unlawful-arrest claims. McKimmie moved under Federal Rule of Civil Procedure 50(b) for judgment as a matter of law based on qualified immunity. Brooks moved under Rule 59(e) to alter or amend the judgment concerning immunity on his Maryland-law claims.
STANDARD OF REVIEW	For Rule 50(b), the court viewed the evidence in the light most favorable to the nonmoving party, asked whether substantial evidence supported the jury's findings, disregarded evidence favorable to the movant that the jury was not required to believe, and did not substitute its judgment for the jury's or make credibility determinations. A Rule 59(e) motion may be granted to accommodate an intervening change in controlling law, account for newly available evidence, correct clear legal error, or prevent manifest injustice.

PRECEDENTIAL VALUE	unpublished district court memorandum opinion; persuasive but not binding precedent
PARTIES	Timothy McKimmie v. Phillip Joshua Kyle Brooks

TOPICS

qualified immunity false arrest civil rights constitutional law civil procedure

PRACTICE AREAS

civil rights litigation constitutional torts qualified immunity Maryland tort law post-trial motions

QUESTIONS PRESENTED

1. Whether McKimmie was entitled to qualified immunity on Brooks's Fourth Amendment unlawful-arrest claim after the jury found that he arrested Brooks without probable cause.
2. Whether the court erred under Rule 59(e) by concluding that the Maryland Tort Claims Act immunized McKimmie from Brooks's Maryland false-arrest, false-imprisonment, and state constitutional unlawful-arrest claims despite the jury's liability findings.

HOLDINGS

1. McKimmie was not entitled to qualified immunity because, viewing the evidence in Brooks's favor, no reasonable officer could have believed that Brooks had probable causeably remained on the hotel property after being notified to leave when Brooks immediately attempted to comply.
2. The court properly denied Brooks's Rule 59(e) motion because McKimmie, a deputy sheriff, qualified as state personnel for purposes of Maryland Tort Claims Act immunity and the jury found that he did not act with malice; the state-law claims therefore remained barred by immunity.

KEY QUOTATIONS

“In light of the statute’s plain language and this consensus of authority, no reasonable officer could have concluded, under the circumstances of this case, that he had probable cause to arrest Brooks for trespassing in violation of § 6-403(b).”

“Under the MTCA, he is immune from tort liability unless he acted with malice or gross negligence. He did neither.”

FACTUAL BACKGROUND

Brooks was staying at a Hilton Garden Inn in Waldorf, Maryland, when a front-desk clerk reported a disturbance to Charles County deputy sheriff Timothy McKimmie. After McKimmie told Brooks that he had to leave or face arrest for trespassing, Brooks testified that he immediately attempted to comply and explained that he needed to close the hotel-room door to release its latch. The officers instead kicked in the door and arrested him within seconds; Brooks spent a night in jail, and the trespassing and disorderly-conduct charges were later dismissed.

The jury credited Brooks sufficiently to find an unlawful arrest but found that McKimmie had not acted with malice.

PROCEDURAL HISTORY

Brooks filed the action in Maryland state court, and the State of Maryland removed it to federal court. After motions to dismiss and for summary judgment, the surviving claims proceeded to a January 2026 jury trial. The jury found McKimmie liable for Maryland false arrest and false imprisonment and for violating Brooks's state and federal constitutional rights to be free from unlawful arrest, but found no malice and awarded \$27,500 in compensatory damages. The court entered judgment only on the Fourth Amendment claim because it concluded that the Maryland Tort Claims Act immunized McKimmie from the state-law claims. The court denied both post-trial motions.

DISPOSITION

other

CASES CITED

- Russell v. Absolute Collection Servs., Inc., 763 F.3d 385, 391 (4th Cir. 2014)
- Wheatley v. Wicomico County, 390 F.3d 328, 332 (4th Cir. 2004)
- Anderson v. Russell, 247 F.3d 125, 129 (4th Cir. 2001)
- Wilhelm v. Blue Bell, Inc., 773 F.2d 1429, 1433 (4th Cir. 1985)
- Harris v. Wormuth, 669 F. Supp. 3d 477, 500 (D. Md. 2023)
- Reeves v. Sanderson Plumbing Prods., Inc., 530 U.S. 133, 151 (2000)
- Price v. City of Charlotte, 93 F.3d 1241, 1249 (4th Cir. 1996)
- Myrick v. Prime Ins. Syndicate, Inc., 395 F.3d 485, 489-90 (4th Cir. 2005)
- Lewis v. Caraballo, 98 F.4th 521, 530, 534 (4th Cir. 2024)
- Carroll v. Carman, 574 U.S. 13, 16 (2014)
- Stanton v. Elliott, 25 F.4th 227, 233 (4th Cir. 2022)
- Ray v. Roane, 948 F.3d 222, 229 (4th Cir. 2020)
- Booker v. South Carolina Department of Corrections, 855 F.3d 533, 543 (4th Cir. 2017)
- Williams v. Strickland, 917 F.3d 763, 770 (4th Cir. 2019)
- Ashcroft v. al-Kidd, 563 U.S. 731, 742 (2011)
- Atkinson v. Godfrey, 100 F.4th 498, 505-06 (4th Cir. 2024)
- Edwards v. City of Goldsboro, 178 F.3d 231, 250-51 (4th Cir. 1999)
- Kisela v. Hughes, 584 U.S. 100, 104 (2018) (per curiam)
- Hupp v. Cook, 931 F.3d 307, 318 (4th Cir. 2019)
- Dunaway v. New York, 442 U.S. 200, 213 (1979)
- Thurston v. Frye, 99 F.4th 665, 676 (4th Cir. 2024)
- Gomez v. Atkins, 296 F.3d 253, 261-62 (4th Cir. 2002)

- Elliott v. State, 10 A.3d 761, 771 (Md. 2010)
- Longshore v. State, 924 A.2d 1129, 1137 (Md. 2007)
- State v. Johnson, 183 A.3d 119, 129 (Md. 2018)
- Illinois v. Gates, 462 U.S. 213, 232, 243 n.13 (1983)
- Maryland v. Pringle, 540 U.S. 366, 371 (2003)
- Nero v. Mosby, 890 F.3d 106, 130 (4th Cir. 2018)
- Brown v. Gilmore, 278 F.3d 362, 367 (4th Cir. 2002)
- District of Columbia v. Wesby, 583 U.S. 48, 57 (2018)
- Kaley v. United States, 571 U.S. 320, 338 (2014)
- People v. Howard, 89 N.E.3d 308, 313 (Ill. 2017)
- State, Department of Law & Public Safety, Division of Gaming Enforcement v. Boardwalk Regency Corp., 548 A.2d 206, 211 (N.J. Super. Ct. App. Div. 1988)
- State ex rel. Seaton v. Holmes, 798 N.E.2d 375, 377 (Ohio 2003)
- State v. Fowler, 32 A. 162, 164 (Conn. 1895)
- Schreyer v. Chaplain, 5 A.3d 1054, 1058 (Md. 2010)
- Adventist Health Care Inc. v. Maryland Health Care Commission, 896 A.2d 320, 333 n.13 (Md. 2006)
- Pacific Insurance Co. v. American National Fire Insurance Co., 148 F.3d 396, 403 (4th Cir. 1998)
- McCard v. Jones, No. 1076, Sept. Term, 2024, 2026 WL 251899, at *1, *3 n.1, *4, *9 (Md. App. Ct. Jan. 30, 2026)
- Marks v. Dann, 600 F. App'x 81, 85 (4th Cir. 2015)
- Wyckoff v. Maryland, 522 F. Supp. 2d 730, 738 (D. Md. 2007)
- Brooks v. St. Charles Hotel Operating, LLC, No. DLB-23-208, 2023 WL 6244612, at *8 (D. Md. Sept. 26, 2023)
- Murphy-Taylor v. Hofmann, 968 F. Supp. 2d 693, 726 (D. Md. 2013)
- Dotson v. Chester, 937 F.2d 920, 921, 928, 934 (4th Cir. 1991)
- Santos v. Frederick County Board of Commissioners, 346 F. Supp. 3d 785, 792-800 (D. Md. 2018)
- Harried v. Maryland, No. TDC-24-1190, 2024 WL 4817107, at *4, *6 (D. Md. Nov. 18, 2024)
- Clea v. Mayor and City Council of Baltimore, 541 A.2d 1303 (Md. 1988)
- Rucker v. Harford County, 558 A.2d 399 (Md. 1989)
- Lee v. Cline, 863 A.2d 297, 310 (Md. 2004)
- Peacock v. Debley, 314 A.3d 439, 449 (Md. App. Ct. 2024)

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