

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF  
KENTUCKY, LOUISVILLE DIVISION

Johnnie Givens et al. v. Steven Mantle et al.

Givens v. Mantle, No. 3:25-cv-127-BJB (W.D. Ky. Feb. 25, 2026) · No. No. 3:25-cv-127-BJB · Decided  
February 25, 2026

SUMMARY

The United States District Court for the Western District of Kentucky dismissed claims against the Louisville Metro Police Department, Louisville/Jefferson County Metro Government, officers in their official capacities, and former Chief Jacquelyn Gwinn-Villaroel. The court held that LMPD is not a suable entity, the complaint failed to plead a viable Monell policy or custom, sovereign immunity barred the state-law claims against Louisville Metro and officers in their official capacities, and the claims against the former chief lacked specific allegations of personal involvement or supervisory misconduct. Claims against the individual officers in their personal capacities remained pending.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Western District of Kentucky, Louisville Division                                                                                                                                                                                                                                                                                                                                              |
| WRITING FOR THE COURT | Benjamin Beaton                                                                                                                                                                                                                                                                                                                                                                                                                     |
| JURISDICTION          | United States District Court for the Western District of Kentucky, Louisville Division                                                                                                                                                                                                                                                                                                                                              |
| DECIDED               | February 25, 2026                                                                                                                                                                                                                                                                                                                                                                                                                   |
| DOCKET                | No. 3:25-cv-127-BJB                                                                                                                                                                                                                                                                                                                                                                                                                 |
| DISPOSITION           | dismissed                                                                                                                                                                                                                                                                                                                                                                                                                           |
| PROCEDURAL POSTURE    | Defendants moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss claims against the Louisville Metro Police Department, Louisville/Jefferson County Metro Government, Chief Jacquelyn Gwinn-Villaroel, and individual officers in their official capacities. After the plaintiffs amended their complaint and defendants renewed their motions, the court granted the renewed motions and dismissed the specified claims. |
| STANDARD OF REVIEW    | On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true but disregards legal conclusions and determines whether the complaint contains enough factual matter to state a plausible claim for relief.                                                                                                                                                                                                   |

|                           |                                                                                                                                                                  |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>PRECEDENTIAL VALUE</b> | unpublished                                                                                                                                                      |
| <b>PARTIES</b>            | Johnnie Givens, Micah Davis v. Steven Mantle et al., Louisville Metro Police Department, Louisville/Jefferson County Metro Government, Jacquelyn Gwinn-Villaroel |

## TOPICS

motions to dismiss

section 1983

municipal liability

sovereign immunity

civil procedure

## PRACTICE AREAS

civil procedure

civil rights

constitutional law

municipal law

torts

## QUESTIONS PRESENTED

1. Whether the Louisville Metro Police Department is a suable entity.
2. Whether the amended complaint plausibly alleged municipal liability under Monell against Louisville/Jefferson County Metro Government based on an official policy, ratification, an unconstitutional custom, or failure to train.
3. Whether sovereign immunity barred the state-law claims against Louisville/Jefferson County Metro Government and officers sued in their official capacities.
4. Whether the amended complaint plausibly alleged federal or Kentucky-law supervisory liability against Chief Jacquelyn Gwinn-Villaroel in her individual capacity.

## HOLDINGS

1. The Louisville Metro Police Department cannot sue or be sued, so the claims against the department were properly dismissed.
2. The amended complaint failed to state a § 1983 claim against Louisville Metro because it did not plausibly allege that an official municipal policy, ratification, custom, or failure to train caused the alleged constitutional violation.
3. The alleged LMPD policy requiring an arrest when an officer has probable cause to believe a person caused physical injury in a domestic-violence situation did not itself establish an unconstitutional municipal policy.
4. Kentucky sovereign immunity barred the state-law tort claims against Louisville Metro and officers sued in their official capacities because plaintiffs identified no statutory waiver.
5. The amended complaint failed to state federal or Kentucky-law claims against Chief Gwinn-Villaroel in her individual capacity because it alleged no personal participation or specific facts showing her own misfeasance, negligent supervision, or failure to train.

## KEY QUOTATIONS

*“To survive a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6), a complaint must contain ‘enough facts to state a claim to relief that is plausible on its face.’”*

*“Municipalities are not automatically liable, however, just because their employees violated the Constitution; section 1983 doesn’t enact respondeat superior.”*

*“The Louisville Metro Police Department, Louisville/Jefferson County Metro Government, and Chief Gwinn-Villaroel in both her official and individual capacities.”*

## FACTUAL BACKGROUND

According to the amended complaint, Givens’s daughter and her boyfriend threatened him with a gun, after which Givens obtained his own gun and called 911. More than an hour later, the daughter reported domestic violence from another location, and Louisville police decided to arrest Givens before completing their investigation. When officers arrived without a warrant, Givens laid down his gun, explained that his disabled adult son was in the home, and attempted to close the door; officers allegedly kicked it open and slammed him to the ground, injuring him and causing his son to suffer a seizure. The resulting domestic-violence charge was later dismissed.

## PROCEDURAL HISTORY

Plaintiffs filed suit in Jefferson Circuit Court on January 31, 2025, asserting Fourth Amendment claims under 42 U.S.C. § 1983 and state-law tort claims arising from a warrantless police entry and arrest. Chief Gwinn-Villaroel removed the action to federal court on March 3, 2025. Plaintiffs amended their complaint, defendants renewed their motions to dismiss, and the court held a hearing on June 26, 2025. The court denied the first round of motions as moot, granted the renewed motions, dismissed the claims against the municipal and supervisory defendants and official-capacity defendants, and directed the parties to confer regarding the remaining claims.

## DISPOSITION

dismissed

## CASES CITED

- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Marshall v. O’Connell, No. 14-6372, 2016 WL 11781769, at \*1 (6th Cir. June 3, 2016)
- Matthews v. Jones, 35 F.3d 1046, 1049 (6th Cir. 1994)
- Monell v. Department of Social Services, 436 U.S. 658, 691 (1978)
- Hart v. Michigan, 138 F.4th 409, 425 (6th Cir. 2025)
- City of Canton v. Harris, 489 U.S. 378, 385 (1989)
- Morgan Distributing Co. v. Unidynamic Corp., 868 F.2d 992, 995 (8th Cir. 1989)
- Atwater v. City of Lago Vista, 532 U.S. 318, 354 (2001)
- Pineda v. Hamilton County, 977 F.3d 483, 495 (6th Cir. 2020)

- Thomas v. City of Chattanooga, 398 F.3d 426, 432-33 (6th Cir. 2005)
- Vereecke v. Huron Valley School District, 609 F.3d 392, 403 (6th Cir. 2010)
- Jackson v. City of Cleveland, 925 F.3d 793, 834, 836 (6th Cir. 2019)
- Connick v. Thompson, 563 U.S. 51, 61 (2011)
- Salvato v. Miley, 790 F.3d 1286, 1297 (11th Cir. 2015)
- Harvey v. Campbell County, 453 F. App'x 557, 567 (6th Cir. 2011)
- Napper v. Hankison, 617 F. Supp. 3d 703, 738-39 (W.D. Ky. 2022)
- Jewish Hosp. Healthcare Services, Inc. v. Louisville/Jefferson County Metro Gov't, 270 S.W.3d 904, 907 (Ky. Ct. App. 2008)
- Kentucky v. Graham, 473 U.S. 159, 165 (1985)
- Moores v. Fayette County, 418 S.W.2d 412, 414 (Ky. 1967)

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