

SUMMARY STATEMENT

Picatti v. Miner, Docket No. 45499

Picatti brought a 42 U.S.C. section 1983 suit against two deputies, claiming deprivations of his protected rights to be free from (1) unreasonable seizure, (2) excessive force, and (3) felony arrest without probable cause. The Supreme Court affirmed in part and vacated in part the district court's order granting summary judgment to the deputies. The Court explained that collateral estoppel barred Picatti from relitigating probable cause as to Picatti's claims of false arrest and unreasonable seizure. However, the Court vacated the summary judgment as to Picatti's excessive force claim. The Court could not determine as a matter of law that the deputies were entitled to qualified immunity on Picatti's excessive force claim because there was a genuine issue of material fact. It then remanded the case to the district court for the fact-finder to first resolve the genuine issue of material facts so that the court can answer the remaining issues of excessive force and qualified immunity.