

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

VICKI TIMPA, *et al.*,

Plaintiffs,

v.

DUSTIN DILLARD, *et al.*,

Defendants.

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Civil Action No. 3:16-CV-3089-N

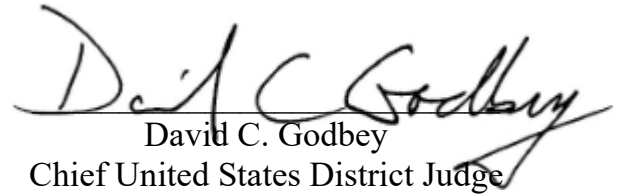
ORDER

This Order addresses Defendants Dustin Dillard, Danny Vasquez, Raymond Dominguez, Domingo Rivera, and Kevin Mansell’s (“DPD Defendants”) partial motion to dismiss [205], and the City of Dallas’ (“the City”) partial motion to dismiss [206]. The DPD Defendants seek to dismiss claims that were previously adjudicated on the merits by the Court in their favor, some of which were affirmed by the Fifth Circuit and others which were not disturbed on appeal. The City seeks to dismiss all state law claims against the DPD Defendants as barred by the Texas Tort Claims Act.

Because Plaintiffs intend to pursue only Fourth Amendment excessive force claims against Dillard and Fourth Amendment bystander claims against Vasquez, Dominguez, and Mansell, Pls.’ Resp. to Mot. to Dismiss 2 [207], the Court treats the motions as unopposed. Accordingly, the Court grants the Defendants’ motions. The Court dismisses Plaintiffs’ unreasonable seizure claims, excessive force claims as to Vasquez and Rivera, denial of medical care claims, bystander liability claims as to Rivera, supervisor liability claims against Mansell, and all of Plaintiffs’ state law claims against the DPD Defendants.

The Court grants the DPD Defendants leave to file their answer within fourteen (14) days of this Order.

Signed December 7, 2022.



David C. Godbey
Chief United States District Judge