

95-7105 ORIGINAL

No. _____

FILED
MAR 24 2026
OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE
SUPREME COURT OF THE UNITED STATES

John Fitzgerald Deonarine (Pro Se) — PETITIONER
(Your Name)

vs.

Monica Aguilar, Erroneously Sued As — RESPONDENT(S)
Lopez, et al.,

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals For The Ninth Circuit
95 Seventh Street
San Francisco, CA 94103-1518
Phone: (415) 556 - 9800

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

John Fitzgerald Deonarine

(Your Name)

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QUESTION(S) PRESENTED

Federal Rule of Civil Procedure 56 prohibits courts from resolving factual disputes or weighing competing evidence at the summary judgment stage. This Court has held that video evidence may override a party's account of events only where the recording blatantly contradicts that account. See *Scott v. Harris*, 550 U.S. 372 (2007).

Yet as body-camera recordings have become central to civil-rights litigation, courts increasingly treat such recordings as dispositive evidence of probable cause even when the recordings are objectively susceptible to competing reasonable interpretations under Rule 56.

The questions presented are:

1. Whether a court may grant summary judgment in a Fourth Amendment false-arrest action by treating body-camera footage as conclusive evidence of probable cause when the recording is capable of multiple reasonable interpretations, notwithstanding Federal Rule of Civil Procedure 56's requirement that courts view the evidence in the light most favorable to the nonmoving party.
2. Whether the Fourth Amendment permits a court to uphold an arrest at summary judgment based on an officer's interpretation of a criminal statute where the legality of the plaintiff's conduct depends on a detailed statutory licensing framework and the evidence regarding that interpretation—including video evidence and sworn testimony—is disputed.

LIST OF PARTIES

- All parties appear in the caption of the case on the cover page.
- All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

- 1) **Monica Aguilar - Los Angeles Police Dept. Serial # 40598**
- 2) **Carlos Rosales - Los Angeles Police Dept. Serial # 43819**
- 3) **Sgt. Robert Morales (Ret.) Los Angeles Dept. Serial # 30184**
- 4) **Watch Commander Lieutenant Matthew McNulty - Los Angeles Police Dept. Serial # 35649**

RELATED CASES

Deonarine v. Aguilar, et al., No. 2:22-cv-03353-JLS-ADS, United States District Court for the Central District of California. Judgment entered March 28, 2024.

Deonarine v. Aguilar, et al., No. 24-3665, United States Court of Appeals for the Ninth Circuit. Judgment entered November 14, 2025.

Deonarine v. Aguilar, et al., No. 24-3665, United States Court of Appeals for the Ninth Circuit. Petition for rehearing en banc denied January 29, 2026.

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OTHER

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

- reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the United States district court appears at Appendix B to the petition and is

- reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

- reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

- reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

JURISDICTION

For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

No petition for rehearing was timely filed in my case.

A timely petition for rehearing was denied by the United States Court of Appeals on the following date: 1/29/26, and a copy of the order denying rehearing appears at Appendix D.

An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

For cases from **state courts**:

The date on which the highest state court decided my case was _____.
A copy of that decision appears at Appendix _____.

A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The Fourth Amendment to the United States Constitution provides:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated B U

This case also involves the following federal and state statutory provisions:

42 U.S.C. § 1983, which provides a civil cause of action for the deprivation of constitutional rights under color of law;

Federal Rule of Civil Procedure 56, which governs summary judgment and requires that courts view the evidence in the light most favorable to the nonmoving party;

California Penal Code § 851.8, which provides for a finding of factual innocence where no reasonable cause exists to believe the arrestee committed the offense;

California Penal Code §§ 25400 and 25850, which govern the carrying of concealed and loaded firearms;

California Penal Code § 26030, which provides exceptions and licensing provisions relevant to the lawful carrying of firearms.

STATEMENT OF THE CASE

This case presents a recurring question of national importance: whether courts may treat body-camera footage as conclusive evidence of probable cause at summary judgment even when the recording is capable of multiple reasonable interpretations.

Background of the Incident

On May 19, 2020, petitioner, a licensed private patrol operator in California, was engaged in an investigation on behalf of a client whose cellular phone had been stolen. Earlier that day, petitioner provided the Los Angeles Police Department with a detailed operational plan identifying the suspect and indicating that he would request police assistance upon locating the individual.

That evening, petitioner located the suspect in North Hollywood and contacted 911 to request officer assistance. Petitioner identified himself, explained the purpose of his investigation, and disclosed that he was lawfully armed.

Responding officers arrived and immediately detained petitioner. During the encounter, petitioner informed the officers that he did not possess a concealed carry permit. Petitioner later testified under oath that such a permit was not required because he was licensed under California law to carry an exposed firearm. The legality of petitioner's conduct therefore depended on the interpretation of the applicable licensing framework and the surrounding circumstances of the encounter.

Arrest and Criminal Proceedings

Petitioner was arrested and charged with violations of California Penal Code §§ 25400 and 25850. During the encounter, the officers' body-camera footage recorded the interaction between petitioner and the officers.

Prior to arraignment, the prosecuting attorney reviewed the body-camera footage and moved to dismiss the criminal complaint. In open court, the prosecutor represented that the recording showed petitioner's firearm was carried in an exposed manner consistent with his licensing status. The court granted the motion to dismiss.

Subsequently, the Superior Court of California granted petitioner's motion for a finding of factual innocence pursuant to California Penal Code § 851.8, concluding that no reasonable cause existed to believe petitioner committed the charged offenses and ordering the sealing and destruction of arrest records.

District Court Proceedings

Petitioner filed this action under 42 U.S.C. § 1983, alleging false arrest in violation of the Fourth Amendment. Following discovery, respondents moved for summary judgment.

The district court granted summary judgment, concluding that the arrest was supported by probable cause. In doing so, the court treated the body-camera footage as dispositive evidence and relied on petitioner's statement that he did not possess a concealed carry permit. The court rejected petitioner's sworn testimony regarding his licensing status and concluded that the subsequent finding of factual innocence did not bear on the probable-cause determination.

Court of Appeals Proceedings

The United States Court of Appeals for the Ninth Circuit affirmed in an unpublished memorandum disposition. The court concluded that the arrest was supported by probable cause and rejected petitioner's argument that the factual innocence determination undermined that conclusion.

The court also upheld the admission of arrest records notwithstanding the state court's order sealing those records and denied rehearing en banc.

REASONS FOR GRANTING THE PETITION

This Case Presents a Recurring and Important Question Concerning the Use of Video Evidence at Summary Judgment

I. This case presents an increasingly common issue in civil-rights litigation: how courts should evaluate body-camera footage when determining probable cause at summary judgment. Federal Rule of Civil Procedure 56 prohibits courts from resolving factual disputes or weighing competing evidence. Yet as video recordings have become central to Fourth Amendment cases, lower courts have increasingly treated such recordings as dispositive evidence even where they are capable of multiple reasonable interpretations.

This Court has made clear that video evidence may override a party's account only where it blatantly contradicts that account. See *Scott v. Harris*, 550 U.S. 372 (2007). And even in cases involving police encounters, courts must continue to view the evidence in the light most favorable to the nonmoving party and refrain from resolving factual disputes. See *Tolan v. Cotton*, 572 U.S. 650 (2014); *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242 (1986).

Lower courts have applied this Court's decision in *Scott v. Harris*, 550 U.S. 372 (2007), inconsistently in cases involving video evidence. Some courts—including the Ninth Circuit—have treated recordings as dispositive at summary judgment even where the evidence is susceptible to competing reasonable interpretations or depends on contextual legal analysis. Other courts, including the Fourth and Sixth Circuits, have emphasized that video evidence controls only where it blatantly contradicts the nonmovant's account and have declined to resolve factual disputes where recordings are ambiguous. As body-worn camera footage becomes ubiquitous in law enforcement encounters, this divergence in the application of Rule 56 presents a recurring and important question warranting this Court's review.

II. Lower Courts Are Increasingly Treating Ambiguous Video Evidence as Dispositive Proof of Probable Cause

In cases involving recorded encounters, courts are frequently required to interpret not only what is visible on the recording but also the legal significance of statements made during those encounters. Where the meaning of such evidence depends on context, legal interpretation, or competing inferences, it is not blatantly dispositive within the meaning of *Scott v. Harris*.

This case illustrates that problem. The courts below treated petitioner's statement regarding the absence of a concealed carry permit as conclusive evidence of unlawful conduct, notwithstanding evidence that the legality of petitioner's actions depended on a separate licensing framework. The meaning of that statement therefore depended on context and legal interpretation.

At summary judgment, however, courts may not resolve such interpretive disputes or discount sworn testimony based on personal knowledge. See *Anderson*, 477 U.S. at 255; *Tolan*, 572 U.S. at 656-57. When courts treat recordings as dispositive despite competing reasonable interpretations, they risk transforming summary judgment into a vehicle for resolving disputed factual issues.

As body-camera recordings become increasingly prevalent, this issue is likely to arise with greater frequency in courts across the country.

III. This Case Also Raises an Important Question Concerning Probable Cause Based on Mistaken Interpretations of Law

This case also implicates a related question concerning the role of legal interpretation in probable-cause determinations. This Court has recognized that probable cause may exist even where officers make reasonable mistakes of law. See *Heien v. North Carolina*, 574 U.S. 54 (2014).

At the same time, the Fourth Amendment requires that arrests be grounded in an objectively reasonable understanding of the law. Where the legality of conduct depends on detailed statutory or licensing frameworks, the question of what a reasonable officer would understand may itself depend on disputed facts and competing interpretations.

This case illustrates that tension. The determination of probable cause depended in part on the interpretation of a statutory licensing scheme governing the lawful carrying of firearms. Where that determination turns on the interpretation of both law and fact, resolution at summary judgment raises important questions concerning the proper application of Fourth Amendment standards.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

John Fitzgerald Deonaine

Date: Monday, March 23, 2026