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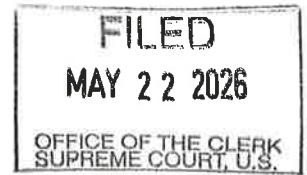
IN THE SUPREME COURT OF THE UNITED STATES

No. 25-7105

John Fitzgerald Deonarine, Petitioner

v.

Monica Aguilar, Erroneously Sued As Lopez, et al, Respondents



PETITION FOR REHEARING

Pursuant to Rule 44.2 of the Rules of this Court, petitioner respectfully seeks rehearing of the denial of certiorari entered on May 4, 2026.

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Petitioner Pro Se

I. This Petition Presents an Increasingly Important Question Concerning the Interaction of Modern Video-Evidence Jurisprudence, Rule 56, and Objective-Reasonableness Doctrine.

The increasing prevalence of body-worn camera evidence in Fourth Amendment litigation has intensified unresolved tension concerning the interaction among this Court's decisions in *Scott v. Harris*, *Tolan v. Cotton*, and *Heien v. North Carolina*.

In *Scott*, this Court held that video evidence may override a party's factual account where the account is "blatantly contradicted" or "utterly discredited" by the record. In *Tolan*, the Court reaffirmed that courts may not "weigh the evidence" or resolve competing factual inferences against the nonmovant at summary judgment. In *Heien*, the Court further held that reasonable suspicion may rest upon objectively reasonable mistakes of law because "the ultimate touchstone of the Fourth Amendment is reasonableness." 574 U.S. 54, 60 (2014).

As modern body-camera evidence has become increasingly prevalent, lower courts have been required to reconcile those doctrines in cases involving disputed factual interpretation, disputed legal interpretation, and objectively reasonable police mistake. The resulting interaction

continues to generate divergent operational approaches concerning when constitutional reasonableness remains a jury question under Rule 56 and when courts instead resolve competing inferences as a matter of law.

II. Lower Courts Continue to Apply *Scott v. Harris* Divergently in Modern Video-Evidence Litigation.

Although lower courts nominally apply the same governing precedents, courts continue to operationalize *Scott* differently in practice.

Some courts treat recorded evidence as broadly dispositive whenever video arguably supports an officer's interpretation of events. Other courts have expressly declined to extend *Scott* beyond circumstances involving truly conclusive contradiction. See, e.g., *Eagan v. Dempsey*, 987 F.3d 667 (declining to extend *Scott* beyond circumstances involving conclusive contradiction and emphasizing continued Rule 56 obligations concerning competing inferences).

Similarly, even within the Ninth Circuit, courts have recognized that recorded evidence may remain susceptible to competing interpretation and therefore continue to require jury determination. See *Glenn v. Washington County*, 673 F.3d 864.

The proliferation of body-worn camera evidence has therefore exposed increasing divergence concerning the extent to which recorded evidence permits judicial resolution of disputed factual and legal inferences at summary judgment.

III. The Interaction Between Objective-Reasonableness Doctrine and Judicial Findings Concerning the Absence of Reasonable Cause Continues to Raise Unresolved Questions.

The practical operation of modern Fourth Amendment litigation has also increasingly required courts to reconcile doctrines permitting objectively reasonable police mistake with judicial findings recognizing the absence of reasonable cause.

This Court in *Heien* held that objectively reasonable mistakes of law may nevertheless satisfy Fourth Amendment reasonableness standards. At the same time, some jurisdictions recognize unusually strong judicial findings concerning the absence of reasonable cause. See *People v. Adair*, 29 Cal.4th 895, 905 (“Establishing factual innocence . . . entails establishing . . . that there was no reasonable cause to arrest [the defendant] in the first place.”).

The interaction between modern video-evidence jurisprudence, Rule 56 protections, and doctrines permitting objectively reasonable police mistake continues to generate unresolved

questions concerning when disputed factual and legal interpretation should remain within the province of the jury rather than judicial resolution through summary judgment and deference doctrines.

IV. Rehearing Is Warranted to Clarify the Continuing Harmonization of These Doctrines in the Era of Ubiquitous Body-Worn Camera Evidence.

The widespread use of body-camera evidence has substantially transformed modern Fourth Amendment litigation since *Scott v. Harris* was decided in 2007. Courts now routinely confront cases involving:

- recorded evidence
- disputed factual interpretation
- disputed legal interpretation
- objectively reasonable police mistake
- and summary judgment under Rule 56

Petitioner respectfully submits that the continuing operational divergence among lower courts concerning the interaction of *Scott*, *Tolan*, *Heien*, Rule 56, and objective-reasonableness doctrine warrants further consideration by this Court.

CONCLUSION

The petition for rehearing should be granted.

Respectfully submitted,


John Fitzgerald Deonarine

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CERTIFICATION

Pursuant to Rule 44.2, petitioner certifies that this petition for rehearing is presented in good faith and not for delay, and that it is based upon substantial grounds warranting further consideration by this Court.

PROOF OF SERVICE

I, John Fitzgerald Deonarine, do swear or declare that on this date, Friday, May 22, 2026, as required by Supreme Court Rule 29, I have served the enclosed PETITION FOR REHEARING on each party to this proceeding or that party's counsel by depositing an envelope containing this document in the United States mail properly addressed to each of the following with first class pre-paid postage. The names and addresses are as follows:

Michael Marin Walsh – Los Angeles City Attorneys Office, City Hall East, 200 North Main Street, 14th Floor, Los Angeles, CA 90012

Dordaneh Ghaemi and Rebekah Young – Los Angeles City Attorneys Office, City Hall East, 200 North Main Street, 6th Floor, Los Angeles, CA 90012

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this Friday, May 22nd, 2026.

Respectfully submitted,


John Fitzgerald Deonarine