

APPENDIX

APPENDIX TABLE OF CONTENTS

A. Opinion and Final Judgment of the United States Court of Appeals for the Fourth Circuit (No. 25-1329, filed May 20, 2025)	App. 1
B. Final Order of the United States District Court for the Eastern District of Virginia (Mar. 6, 2025)	App. 2
C. District Court Order Regarding In Forma Pauperis Status and Amendment Instructions	App. 3
D. Additional District Court Filings and Notices (Certiorari Status Form, Rehearing Instructions, etc.)	App.4
E. State Court Records (Hanover County, Virginia – Driver's License / Restitution Orders)	App.5

FILED: September 22, 2025

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUITNo. 25-1846, KingMiguel Crayton v. J. Williams
3:25-cv-00038-DJN

NOTICE OF JUDGMENT

Judgment was entered on this date in accordance with Fed. R. App. P. 36. Please be advised of the following time periods:

PETITION FOR WRIT OF CERTIORARI: The time to file a petition for writ of certiorari runs from the date of entry of the judgment sought to be reviewed, and not from the date of issuance of the mandate. If a petition for rehearing is timely filed in the court of appeals, the time to file the petition for writ of certiorari for all parties runs from the date of the denial of the petition for rehearing or, if the petition for rehearing is granted, the subsequent entry of judgment. See Rule 13 of the Rules of the Supreme Court of the United States; www.supremecourt.gov.

VOUCHERS FOR PAYMENT OF APPOINTED OR ASSIGNED COUNSEL:

Vouchers must be submitted within 60 days of entry of judgment or denial of rehearing, whichever is later. If counsel files a petition for certiorari, the 60-day period runs from filing the certiorari petition. (Loc. R. 46(d)). If payment is being made from CJA funds, counsel should submit the CJA 20 or CJA 30 Voucher through the CJA eVoucher system. In cases not covered by the Criminal Justice Act, counsel should submit the Assigned Counsel Voucher to the clerk's office for payment from the Attorney Admission Fund. An Assigned Counsel Voucher will be sent to counsel shortly after entry of judgment. Forms and instructions are also available on the court's website, www.ca4.uscourts.gov, or from the clerk's office.

BILL OF COSTS: A party to whom costs are allowable, who desires taxation of costs, shall file a Bill of Costs within 14 calendar days of entry of judgment. (FRAP 39, Loc. R. 39(b)).


App 1

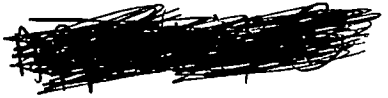
PETITION FOR REHEARING AND PETITION FOR REHEARING EN

BANC: A petition for rehearing must be filed within 14 calendar days after entry of judgment, except that in civil cases in which the United States or its officer or agency is a party, the petition must be filed within 45 days after entry of judgment. A petition for rehearing en banc must be filed within the same time limits and in the same document as the petition for rehearing and must be clearly identified in the title. The only grounds for an extension of time to file a petition for rehearing are the death or serious illness of counsel or a family member (or of a party or family member in pro se cases) or an extraordinary circumstance wholly beyond the control of counsel or a party proceeding without counsel.

Each case number to which the petition applies must be listed on the petition and included in the docket entry to identify the cases to which the petition applies. A timely filed petition for rehearing or petition for rehearing en banc stays the mandate and tolls the running of time for filing a petition for writ of certiorari. In consolidated criminal appeals, the filing of a petition for rehearing does not stay the mandate as to co-defendants not joining in the petition for rehearing. In consolidated civil appeals arising from the same civil action, the court's mandate will issue at the same time in all appeals.

A petition for rehearing must contain an introduction stating that, in counsel's judgment, one or more of the following situations exist: (1) a material factual or legal matter was overlooked; (2) a change in the law occurred after submission of the case and was overlooked; (3) the opinion conflicts with a decision of the U.S. Supreme Court, this court, or another court of appeals, and the conflict was not addressed; or (4) the case involves one or more questions of exceptional importance. A petition for rehearing, with or without a petition for rehearing en banc, may not exceed 3900 words if prepared by computer and may not exceed 15 pages if handwritten or prepared on a typewriter. Copies are not required unless requested by the court. (FRAP 40, Loc. R. 40(c)).

MANDATE: In original proceedings before this court, there is no mandate. Unless the court shortens or extends the time, in all other cases, the mandate issues 7 days after the expiration of the time for filing a petition for rehearing. A timely petition for rehearing, petition for rehearing en banc, or motion to stay the mandate will stay issuance of the mandate. If the petition or motion is denied, the mandate will issue 7 days later. A motion to stay the mandate will ordinarily be denied, unless the motion presents a substantial question or otherwise sets forth good or probable cause for a stay. (FRAP 41, Loc. R. 41).



UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-1846

KING MIGUEL EDDIE CRAYTON,

Plaintiff - Appellant,

v.

J. N. WILLIAMS, Deputy; D. L. MOON, Deputy; T. N. HAMNER, Deputy,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at
Richmond. David J. Novak, District Judge. (3:25-cv-00038-DJN)

Submitted: September 18, 2025

Decided: September 22, 2025

Before THACKER and BENJAMIN, Circuit Judges, and TRAXLER, Senior Circuit
Judge.

Affirmed by unpublished per curiam opinion.

King Miguel Eddie Crayton, Appellant Pro Se. Robert Matthew Black, Leslie A.
Winneberger, HARMAN CLAYTOR CORRIGAN & WELLMAN, Richmond, Virginia,
for Appellees.

Unpublished opinions are not binding precedent in this circuit.

RECEIVED

JAN 13 2026

OFFICE OF THE CLERK
SUPREME COURT, U.S.

App 2

Appendix B

PER CURIAM:

King Miguel Eddie Crayton appeals the district court's order dismissing his amended 42 U.S.C. § 1983 complaint. On appeal, Crayton does not challenge the district court's rulings on the substance of his claims. Instead, he raises various procedural challenges to the district court's consideration of his amended complaint. After reviewing the record, we conclude that the district court carefully considered Crayton's allegations and followed the correct procedure when dismissing the amended complaint. We also conclude that the district court properly dismissed the amended complaint without leave to amend, as any amendment would be futile. *See Save Our Sound OBX, Inc. v. N.C. Dep't of Transp.*, 914 F.3d 213, 227-28 (4th Cir. 2019) (explaining futility standard). Accordingly, we affirm the district court's order. *Crayton v. Williams*, No. 3:25-cv-00038-DJN (E.D. Va. July 2, 2025). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

KINGMIGUEL EDDIE CRAYTON,
Plaintiff,

v.

Civil No. 3:25cv38 (DJN)

J.N. WILLIAMS, *et al.*,
Defendants.

MEMORANDUM ORDER
(Granting Motion to Dismiss)

This matter comes before the Court on Defendants J.N. Williams (“Deputy Williams”), D.L. Moon (“Deputy Moon”) and T.N. Hamner’s (“Deputy Hamner”) (collectively, “Defendants”) Motion to Dismiss (ECF No. 29 (“Motion”)), which seeks to dismiss *pro se* Plaintiff KingMiguel Eddie Crayton’s (“Plaintiff”) Amended Complaint (ECF No. 6). For the reasons set forth below, the Court hereby GRANTS Defendants’ Motion (ECF No. 29).

I. BACKGROUND

At this stage, the Court must accept as true the facts set forth in the Amended Complaint (ECF No. 6 (“Am. Compl.”)). *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). The Court may also consider “matters of which a court may take judicial notice.” *Tellabs, Inc. v. Makor Issues & Rts., Ltd.*, 551 U.S. 308, 322 (2007). Against this backdrop, the Court accepts the following facts as alleged for purposes of resolving the instant Motion.

Plaintiff resides in Richmond, Virginia. (Am. Compl. § I(A).) Defendants are deputies within the Hanover County Sheriff’s Department. (*Id.* § I(B).) Plaintiff alleges that, on July 10, 2024, he “was in a real horrific accident in [his] 18[-]wheeler truck.” (*Id.* § III.) Plaintiff states that Deputy Williams informed him that he would give Plaintiff a citation when he went to

retrieve items from the truck, which had been towed to Robinson's Towing, Recovery & Semi Truck Heavy Wrecker ("Robinson's Towing") in Mechanicsville, Virginia. (*Id.*) Plaintiff claims that he never received a "ticket . . . for having bad [brakes] or [r]eckless driving." (*Id.*)

On July 15, 2024, Plaintiff went to retrieve his personal items from Robinson's Towing. (*Id.*) Plaintiff alleges that, sometime between 3:00 p.m. and 5:00 p.m., Deputies Moon and Hamner, along with two other officers, arrived at Robinson's Towing and shouted that they had a warrant for Plaintiff's arrest.¹ (*Id.*) The officers allegedly "violently apprehended" Plaintiff and "took [him] to jail against [his] will." (*Id.*) Plaintiff alleges that the deputies violated his rights by unlawfully detaining and falsely imprisoning him. (*Id.*) Plaintiff also claims that Deputy Williams "got an infirm/nugatory warrant" and made a false affidavit. (*Id.*)

In his Amended Complaint, Plaintiff asserts two numbered claims for (1) "[u]nlawful [d]etainment" and (2) false imprisonment. (*Id.*) He seeks \$20 million in damages for pain and suffering, loss of enjoyment, loss of identity, isolation and loneliness, distrust of authority, loss of wages, loss of personal property and personal relationships, severe mental anguish, trauma and turmoil, extreme emotional distress, post-traumatic stress disorder and punitive damages. (*Id.* § IV.) Defendants filed the instant Motion on May 8, 2025. (ECF No. 29.) Plaintiff filed his Opposition on May 14, 2025. (ECF No. 34 ("Opp.")). Defendants then filed a reply on May 20, 2025. (ECF No. 35.) Accordingly, the Motion stands ripe for judicial review.

¹ The Court takes judicial notice of the state warrant for Plaintiff's arrest obtained by Deputy Williams. (ECF No. 30-1 at 1); *see Walker v. Kelly*, 589 F.3d 127, 139 (4th Cir. 2009) ("[A] federal court may consider matters of public record such as documents from prior state court proceedings in conjunction with a Rule 12(b)(6) motion."). A Hanover County magistrate issued the warrant on July 12, 2024, finding probable cause to believe that Plaintiff violated Virginia Code section 46.2-853, which criminalizes the operation of a vehicle with inadequate or improperly adjusted brakes on a highway. (ECF No. 30-1 at 1.) The arresting officers executed the warrant at 5:47 p.m. on July 15, 2024. (*Id.*)

II. STANDARD OF REVIEW

A motion to dismiss pursuant to Rule 12(b)(6) tests the sufficiency of a complaint; it does not serve as the means by which a court will resolve factual contests, determine the merits of a claim or address potential defenses. *Republican Party of N.C. v. Martin*, 980 F.2d 943, 952 (4th Cir. 1992). In considering a motion to dismiss, the Court accepts the well-pleaded allegations in the complaint as true and views the facts in the light most favorable to the plaintiff. *Mylan Lab'ys, Inc. v. Matkari*, 7 F.3d 1130, 1134 (4th Cir. 1993). However, “the tenet that a court must accept as true all of the allegations contained in a complaint is inapplicable to legal conclusions.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009).

Under Federal Rule of Civil Procedure 8(a), a complaint must state facts sufficient to “give the defendant fair notice of what the . . . claim is and the grounds upon which it rests.” *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (quoting *Conley v. Gibson*, 355 U.S. 41, 47 (1957)). As the Supreme Court opined in *Twombly*, a complaint must state “more than labels and conclusions” or a “formulaic recitation of the elements of a cause of action,” though the law does not require “detailed factual allegations.” *Id.* (citations omitted). Ultimately, the “[f]actual allegations must be enough to raise a right to relief above the speculative level,” rendering the right “plausible on its face” rather than merely “conceivable.” *Id.* at 555, 570. Thus, a complaint must assert facts that are more than “merely consistent with” the other party’s liability. *Id.* at 557. The facts alleged must be sufficient to “state all the elements of [any] claim[s].” *Bass v. E.I. DuPont de Nemours & Co.*, 324 F.3d 761, 765 (4th Cir. 2003).

On a motion to dismiss pursuant to Rule 12(b)(6), a court may not consider documents outside of the complaint, unless the motion is converted into one for summary judgment under Rule 56. Fed. R. Civ. P. 12(d); *Witthohn v. Fed. Ins. Co.*, 164 F. App’x 395, 396 (4th Cir. 2006).

However, a court may consider documents attached to the complaint, Fed. R. Civ. P. 10(c), as well as “documents incorporated into the complaint by reference, and matters of which a court may take judicial notice,” *Tellabs, Inc. v. Makor Issues & Rts., Ltd.*, 551 U.S. 308, 322 (2007). When a plaintiff proceeds *pro se*, courts construe a complaint liberally to ensure that potentially meritorious claims survive challenge. *Hughes v. Rowe*, 449 U.S. 5, 9–10 (1980). “[T]his liberal construction allows courts to recognize claims despite various formal deficiencies, such as incorrect labels or lack of cited legal authority.” *Wall v. Rasnick*, 42 F.4th 214, 218 (4th Cir. 2022). “Principles requiring generous construction of *pro se* complaints are not, however, without limits,” and courts “cannot be expected to construct full blown claims from sentence fragments.” *Beaudett v. City of Hampton*, 775 F.2d 1274, 1278 (4th Cir. 1985). Courts “are not mind readers” and are “not require[d] . . . to conjure up questions never squarely presented.” *Id.*

III. ANALYSIS

In their Motion, Defendants raise several challenges to Plaintiff’s Amended Complaint. First, Defendants assert that Plaintiff fails to state a Fourth Amendment unreasonable seizure claim against Deputy Williams. (ECF No. 30 (“Mem.”) at 4–5.) Next, Defendants contend that Plaintiff fails to plead that Deputies Moon and Hamner violated his Fourth Amendment rights. (*Id.* at 5–6.) Defendants also argue that Plaintiff fails to plead that Deputies Moon and Hamner falsely imprisoned him. (*Id.* at 6–8.) Lastly, Defendants assert that Plaintiff fails to state facts to support a claim of excessive force against Deputies Moon and Hamner.² (*Id.* at 8–9.) The Court

² Defendants raise two additional arguments. First, as to Plaintiff’s allegation that Deputy Williams violated Virginia Code section 46.2-105, Defendants contend that Plaintiff cannot assert a claim under that statute. (Mem. at 8; *see also* Am. Compl. § III (alleging that Deputy Williams “violated 46.2-105 [by] making [a] false affidavit”).) As Defendants point out, that statute contains no private right of action upon which Plaintiff can sue Deputy Williams. (Mem. at 8 (citing *Cherrie v. Va. Health Servs., Inc.*, 787 S.E.2d 855, 858 (Va. 2016) (“When a statute is silent . . . we have no authority to infer a statutory private right of action without demonstrable

addresses each of these arguments in turn, ultimately finding that Plaintiff does not state any claim for relief.³ Accordingly, the Court GRANTS Defendants' Motion (ECF No. 29).

evidence that the statutory scheme necessarily implies it.”)).) Further, even if a private right of action existed, the statute concerns affidavits required by Title 46.2 of the Virginia Code or the Commissioner of the Department of Motor Vehicles. Va. Code § 46.2-105. Yet, Deputy Williams obtained the warrant for Plaintiff's arrest pursuant to Virginia Code sections 19.2-71 and 19.2-72. (ECF No. 30-1 at 1.) Accordingly, to the extent that Plaintiff seeks to assert a claim pursuant to Virginia Code section 46.2-105, any such claim must fail.

Second, Defendants contend that qualified immunity affords them protection from suit. (Mem. at 9–12.) Because the Court finds that Plaintiff fails to state any claim for relief, it need not decide the applicability of qualified immunity to the facts of this case. *See County of Sacramento v. Lewis*, 523 U.S. 833, 841 n.5 (1998) (noting that “the better approach to resolving cases in which the defense of qualified immunity is raised is to determine first whether the plaintiff has alleged a deprivation of a constitutional right at all”).

³ Plaintiff apparently attempts to raise a jurisdictional challenge, alleging a “[l]ack of [p]ersonal [j]urisdiction,” “insufficient service of process” and “insufficiency of process.” (Am. Compl. § III.) However, Plaintiff alleges no facts to support these claims. Furthermore, to the extent that Plaintiff challenges the jurisdiction of Defendants, the magistrate who issued his arrest warrant or the courts in which Plaintiff was found guilty, Virginia law establishes that jurisdiction stood proper at all stages. *See* Va. Code §§ 16.1-123.1(1)(b) (providing general district court jurisdiction for misdemeanors and traffic infractions), 16.1-129 (allowing trial upon a warrant in courts not of record), 17.1-513 (providing circuit court appellate jurisdiction), 19.2-76 (outlining process for execution of warrant). Because Defendants obtained and executed the warrant for Plaintiff's arrest within Hanover County, where Plaintiff's July 10, 2024 accident occurred, jurisdiction properly lay with the state courts and officers of Hanover County. Additionally, Plaintiff's complaint that Deputy Williams never gave him “any ticket summons for having bad [brakes] or [r]eckless driving” stands irrelevant, as Deputy Williams obtained a warrant for Plaintiff's arrest based on probable cause that Plaintiff violated Virginia Code section 46.2-853. (ECF No. 30-1 at 1.) While Plaintiff may have preferred to receive a ticket rather than be arrested, Plaintiff cannot claim a “lack of jurisdiction” or “insufficient service of process” in the face of an independent magistrate's finding of probable cause for his arrest.

Plaintiff also claims that Deputy Williams “violated [the] code of conduct according to [Virginia Code section] 19.2-258.1 Trial of traffic infractions; measures of proof.” (Am. Compl. § III.) However, he provides no additional facts or assertions to explain how Deputy Williams violated this statute, which outlines procedures for traffic infraction proceedings in Virginia district and circuit courts. Va. Code § 19.2-258.1. Further, this statute also provides no private right of action. *See Cherrie*, 787 S.E.2d at 858 (noting that Virginia courts “have no authority to infer a statutory private right of action without demonstrable evidence that the statutory scheme necessarily implies it”). Thus, to the extent that Plaintiff attempts to assert a claim for a violation of Virginia Code section 19.2-258.1, any such claim must also fail.

A. Unreasonable Seizure Claim Against Deputy Williams

As Defendants point out, Plaintiff does not allege that Deputy Williams was involved in his arrest at Robinson's Towing on July 15, 2024, or in any subsequent interaction. (Mem. at 4.) Thus, the Court construes Plaintiff's "Unlawful Detainment" claim against Deputy Williams under Count 1 as a Fourth Amendment claim for unreasonable seizure. (Am. Compl. § III.)

"[T]he Fourth Circuit has recognized 'a Fourth Amendment claim for unreasonable seizure which incorporates certain elements of the common law tort [of malicious prosecution].'" *Davis v. Bacigalupi*, 711 F. Supp. 2d 609, 625 (E.D. Va. 2010) (quoting *Burrell v. Virginia*, 395 F.3d 508, 514 (4th Cir. 2005)). To state a Fourth Amendment unreasonable seizure claim, a plaintiff must allege "(1) that the defendant seized the plaintiff pursuant to legal process that was not supported by probable cause and (2) that the underlying criminal proceedings have terminated in the plaintiff's favor."⁴ *Id.* "An officer has probable cause for arrest when the facts and circumstances within the officer's knowledge . . . are sufficient to warrant a prudent person, or one of reasonable caution, in believing, in the circumstances shown, that the suspect has committed . . . an offense." *Wilson v. Kittoe*, 337 F.3d 392, 398 (4th Cir. 2003).

Although a probable cause determination typically involves a factual assessment of the evidence that would be unsuitable for the motion-to-dismiss stage, the Court need not evaluate probable cause,⁵ because Plaintiff's unreasonable seizure claim fails on the second element.

⁴ To state a substantially analogous malicious prosecution claim under Virginia law, a plaintiff must prove that his prosecution was "(1) malicious; (2) instituted by, or with the cooperation of, the defendant; (3) without probable cause; and (4) terminated in a manner not unfavorable to the plaintiff." *Hudson v. Lanier*, 497 S.E.2d 471, 473 (Va. 1998).

⁵ Plaintiff contends that "[p]robable cause is very much in question," as Deputy Williams "was not present at the time of the accident." (Opp. at 1.) However, Plaintiff then states that Deputy Williams "investigated the scene" of the crash and "personally collected evidence supporting probable cause." (*Id.* at 1-2.) While the Court need not analyze the probable cause

Following his arrest, Plaintiff was tried and found guilty of violating Virginia Code section 46.2-853 in Hanover County General District Court on September 3, 2024. (ECF No. 30-1 at 2.) He was assessed a fine and costs totaling \$1,094.00. (*Id.*) Plaintiff appealed his conviction to Henrico County Circuit Court, where he was again found guilty on November 19, 2024 and assessed a fine of \$250.00 for violating Virginia Code section 46.2-853. (ECF No. 17-12 at 1.)⁶

Accordingly, because the underlying criminal proceedings did not terminate in Plaintiff's favor, any unreasonable seizure claim against Deputy Williams must fail.⁷ Thus, the Court GRANTS Defendants' Motion as to Count 1 against Deputy Williams.

B. Claims Against Deputies Moon and Hamner

Plaintiff appears to attempt to raise a variety of claims against Deputies Moon and Hamner stemming from the circumstances surrounding his arrest. The Court begins by noting that, in his Opposition, Plaintiff only addresses allegations against Deputy Williams and does not mention either Deputy Moon or Deputy Hamner. (Opp. at 1–2.) Thus, for the purpose of

element, because Plaintiff's unreasonable seizure claim fails on the second element, the Court nevertheless notes that Plaintiff's own account suggests that Deputy Williams indeed undertook efforts to obtain probable cause that Plaintiff had violated Virginia Code section 46.2-853.

⁶ The Court takes judicial notice of the state court documents attached as exhibits to Defendants' Motion. (ECF Nos. 30-1, 30-2); *see Walker*, 589 F.3d at 139 (noting that "a federal court may consider matters of public record such as documents from prior state court proceedings"). Defendants appear to have mistakenly attached a November 19, 2024 Order issued by the Hanover County Circuit Court that found Plaintiff not guilty of violating Virginia Code section 52-8.4:2. (ECF No. 30-2 at 1.) However, the Court also takes judicial notice of a separate November 19, 2024 Order from the Hanover County Circuit Court — filed by Defendants as an exhibit to a previous brief — finding Plaintiff guilty of violating Virginia Code section 46.2-853. (ECF No. 17-12 at 12.) Thus, the proceedings following Plaintiff's arrest for violating section 46.2-853 — the provision under which Deputy Williams obtained a warrant against Plaintiff on July 12, 2024 — did not terminate in Plaintiff's favor. (ECF No. 30-1 at 1.)

⁷ For the same reason, to the extent that Plaintiff attempts to assert a separate malicious prosecution claim under Virginia law against Deputy Williams, any such claim must also fail.

resolving the instant Motion, the Court treats as conceded Defendants' arguments pertaining to all claims against Deputies Moon and Hamner. *See Intercarrier Commc'ns, LLC v. Kik Interactive, Inc.*, 2013 WL 4061259, at *1 (E.D. Va. Aug. 9, 2013) (concluding that where a party fails to respond to an argument it is "effectively conceding" the argument).

1. Unreasonable Seizure

First, to the extent that Plaintiff attempts to assert a Fourth Amendment unreasonable seizure claim against Deputies Moon and Hamner under Count 1, the claim fails for the same reason that it fails against Deputy Williams — the underlying state court proceedings stemming from Plaintiff's arrest for violating Virginia Code section 46.2-853 did not terminate in his favor. (ECF No. 17-12; ECF No. 30-1 at 2); *Davis*, 711 F. Supp. 2d at 625. Accordingly, the Court GRANTS Defendants' Motion as to Count 1 against Deputies Moon and Hamner.

2. False Arrest

Under Count 2, Plaintiff also purports to bring a claim for false imprisonment against Deputies Moon and Hamner.⁸ (Am. Compl. § III.) Because "[n]early identical principles govern claims for false arrest under the Fourth Amendment and for false imprisonment under Virginia law," the Court treats Plaintiff's Count 2 claim as a Fourth Amendment false arrest claim. *King v. Darden*, 2019 WL 1756531, at *5 (E.D. Va. Apr. 19, 2019). "An arrest pursuant to a facially valid warrant, even when probable cause does not support the warrant, precludes both claims." *Id.* Thus, "a public official cannot be charged with false arrest when he arrests a defendant pursuant to a facially valid warrant." *Dorn v. Town of Prosperity*, 375 F. App'x 284, 285 (4th

⁸ As previously noted, Plaintiff does not allege that Deputy Williams had any involvement in his arrest. Thus, any false imprisonment claim cannot be asserted against Deputy Williams.

Cir. 2010); *see also Porterfield v. Lott*, 156 F.3d 563, 568 (4th Cir. 1998) (noting that “a claim for false arrest may be considered only when no arrest warrant has been obtained”).

Further, “[i]n the ordinary case, an officer cannot be expected to question the magistrate’s probable-cause determination” as “[i]t is the magistrate’s responsibility to determine whether the officer’s allegations establish probable cause.” *United States v. Leon*, 468 U.S. 897, 921 (1984). Thus, “the magistrate’s decision operates as a shield to liability for unlawful arrest.” *Amato v. City of Richmond*, 875 F. Supp. 1124, 1144 (E.D. Va. 1994), *aff’d*, 78 F.3d 578 (4th Cir. 1996); *see also Ware v. James City Cnty.*, 652 F. Supp. 2d 693, 703 (E.D. Va. 2009), *aff’d*, 380 F. App’x 274 (4th Cir. 2010) (noting that officers who have been informed that probable cause exists are “not required to conduct an independent investigation of the facts to come to their own determination regarding whether probable cause existed”). “[O]fficers called upon to aid other officers in executing arrest warrants are entitled to assume that the officers requesting aid offered the magistrate the information requisite to support an independent judicial assessment of probable cause.” *Whiteley v. Warden, Wyo. State Penitentiary*, 401 U.S. 560, 568 (1971).

The Court has taken judicial notice of the warrant obtained by Deputy Williams from a Hanover County magistrate on July 12, 2024. (ECF No. 30-1 at 1.) The warrant identifies Plaintiff as the “Accused” and indicates that he allegedly violated Virginia Code section 46.2-853 on July 10, 2024. (*Id.*) The magistrate signed the warrant after finding “probable cause to believe that [Plaintiff] committed the offense charged, based on the sworn statements of” Deputy Williams. (*Id.*) The warrant was then signed by the arresting officers, who executed the warrant on July 15, 2024. (*Id.*)

Plaintiff alleges that Deputies Moon and Hamner “unlawfully detained” and “falsely imprisoned” him when they arrived at Robinson’s Towing to arrest him on July 15, 2024. (Am.

Compl. § III.) However, Deputies Moon and Hamner arrested Plaintiff pursuant to a facially valid arrest warrant obtained by Deputy Williams on July 12, 2024. Notably, Deputies Moon and Hamner did not obtain the warrant themselves; rather, they merely executed a warrant sought by Deputy Williams and issued by the Hanover County magistrate. *See Smith v. Town of S. Hill*, 611 F. Supp. 3d 148, 190 (E.D. Va. 2020) (dismissing false arrest claim after finding that responding “officers could reasonably rely on” an emergency custody order requested by a third party and issued by a magistrate). Although Plaintiff appears to quibble with Deputy Williams’s decision to seek the arrest warrant rather than issue him a citation, Plaintiff does not present any allegations or arguments to suggest that the warrant itself, on its face, stands invalid.⁹ *See King*, 2019 WL 1756531, at *6 (granting summary judgment in defendants’ favor on claims for false arrest and false imprisonment where plaintiff “ha[d] not identified anything improper about the warrant process”). As responding officers called to assist the execution of the warrant, Deputies Moon and Hamner stood “entitled to assume that [Deputy Williams] offered the magistrate the

⁹ An “exception to [the] general rule” that a “magistrate’s decision operates as a shield to liability for unlawful arrest” appears when an officer “submit[s] an affidavit that contain[s] statements he knew to be false or would have known were false had he not recklessly disregarded the truth and no accurate information sufficient to constitute probable cause attended the false statements.” *Amato*, 875 F. Supp. at 1144. In his Amended Complaint, Plaintiff makes the conclusory allegation that Deputy Williams gave a “false affidavit” after he told Plaintiff that he would give Plaintiff a citation. (Am. Compl. § III.) In his Opposition, Plaintiff then contends that Deputy Williams “willingly or recklessly gave a false statement about the accident scene about our conversation,” apparently because Plaintiff believes that Deputy Williams “was mandated to arrest [Plaintiff] but failed to do so.” (Opp. at 1.) Plaintiff additionally claims that Deputy Williams “made an attempt to give [Plaintiff] his phone number to call him and arrange an appointment for [Plaintiff] to get a warrant.” (*Id.* at 2.)

Plaintiff’s concerns about Deputy Williams’s conduct do not support a reasonable inference that Deputy Williams intentionally deceived the magistrate about the basis for probable cause to obtain the warrant; rather, Plaintiff’s complaints pertain to the manner in which he was arrested. Accordingly, this case does not present the rare scenario where officer deception provides an exception to the general rule that a “magistrate’s decision operates as a shield to liability” to officers acting pursuant to a facially valid warrant. *Amato*, 875 F. Supp. at 1144.

information requisite to support an independent judicial assessment of probable cause.”

Whiteley, 401 U.S. at 568. Accordingly, Deputies Moon and Hamner “cannot be charged with false arrest when [they] arrest[ed] [Plaintiff] pursuant to a facially valid warrant.” *Dorn*, 375 F. App’x at 285.

For these reasons, Plaintiff’s Fourth Amendment false arrest claim fails.¹⁰ Accordingly, the Court GRANTS Defendants’ Motion as to Count 2.

3. Excessive Force

Although Plaintiff does not assert a distinct count for a claim of excessive force in his Amended Complaint, he alleges that he was “violently apprehended” and “physically . . . detained” by Deputies Moon and Hamner. (Am. Compl. § III.) The Court, thus, interprets these allegations as an attempt to raise an excessive force claim and analyzes the claim as such.

“A claim that a police officer employed excessive force is analyzed under the Fourth Amendment under an ‘objective reasonableness’ standard” based on the knowledge and perspective of the officer at the time of arrest. *Smith v. Ray*, 781 F.3d 95, 100–01 (4th Cir. 2015). Assessing reasonableness “requires a careful balancing of the nature and quality of the intrusion on the individual’s Fourth Amendment interests against the countervailing governmental interests at stake.” *Graham v. Connor*, 490 U.S. 386, 396 (1989). Courts must give “careful attention to the facts and circumstances of each particular case, including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting arrest.” *Id.* Evaluating the reasonableness

¹⁰ For the same reasons, to the extent that Plaintiff attempts to raise a distinct false imprisonment claim under Virginia law, that claim must also fail. *See Dill v. Kroger Ltd. P’ship I*, 860 S.E.2d 372, 381 (Va. 2021) (noting that “a plaintiff cannot maintain an action for false imprisonment because of an arrest pursuant to a regular and valid warrant”).

of force typically involves a factual assessment of the particular circumstances of a case following the parties' submission of evidence. *See, e.g., Smith*, 781 F.3d at 101 (affirming denial of defendant's motion for summary judgment after assessing the evidence). Nevertheless, when a plaintiff fails to plead factual allegations that "raise a right to relief above the speculative level," a court may dismiss an excessive force claim on a party's motion to dismiss. *Twombly*, 550 U.S. at 555. Such is the case here.

Plaintiff alleges, in a conclusory fashion, that he was "violently apprehended" and "physically unlawfully detained" by Deputies Moon and Hamner after they "shouted out" that they had a warrant for his arrest. (Am. Compl. § III.) However, Plaintiff fails to allege any type or degree of force or provide any details regarding the circumstances of his arrest. *See Davis*, 711 F. Supp. 2d at 624 (granting motion to dismiss excessive force claim after finding that plaintiff did "not allege that the shackles were fastened too tightly or that the [officers] caused her any injury"). Nor does Plaintiff identify which officer, if any, committed an act of excessive force against him. *See Croom v. Anwari* 656, 2024 WL 5081962, at *5 (E.D. Va. Dec. 11, 2024) (dismissing claim where plaintiff "fail[ed] to identify which [d]efendants used excessive force and the circumstances that led up to the application of the force he alleges was excessive"); *Smith*, 611 F. Supp. 3d at 184 (dismissing excessive force claim where plaintiff failed to identify which officers put a rag in arrestee's mouth or were present for arrestee's tasing). And although a "[l]ack of injury . . . does not mean that a use of force was *per se* reasonable," Plaintiff alleges no facts from which the Court can reasonably infer any injury caused by excessive force from either Deputy. *Byers v. City of Richmond*, 2024 WL 4267186, at *13 (E.D. Va. Sept. 23, 2024).

In sum, Plaintiff's allegations pertaining to excessive force boil down to the officers "shouting out" that they had a warrant and "violently apprehend[ing]" him. (Am. Compl. § III.)

Courts “cannot be expected to construct full blown claims from sentence fragments,” and these conclusory allegations, standing alone, do not allow the Court to reasonably infer that either Deputy Moon or Deputy Hamner used unreasonable force against Plaintiff during his arrest. *Beaudett*, 775 F.2d at 1278. Accordingly, the Court GRANTS Defendants’ Motion as to any attempted excessive force claim against Deputies Moon and Hamner.

C. Purported Fourteenth Amendment Claims

Lastly, the Court acknowledges that, in his Amended Complaint, Plaintiff alleges that the Fourteenth Amendment also provides federal question jurisdiction over his claims. (Am. Compl. § II(A).) As analyzed above, Plaintiff’s allegations regarding his arrest touch on the Fourth Amendment’s protections against unreasonable searches and seizures. However, the allegations do no implicate the Fourteenth Amendment, aside from application of the Fourth Amendment right to be free from unreasonable seizures, which is “enforceable against the states by operation of the Fourteenth Amendment.” *Massey v. Ojaniit*, 759 F.3d 343, 356 n.6 (4th Cir. 2014).

“[A]llegations of false arrest, false imprisonment, malicious prosecution and unlawful seizure are all governed not by the procedural and due process components of the Fourteenth Amendment, but by the Fourth Amendment.” *Safar v. Tingle*, 178 F. Supp. 3d 338, 349 (E.D. Va. 2016), *aff’d in part, rev’d in part and remanded on other grounds*, 859 F.3d 241 (4th Cir. 2017). And, as the Supreme Court held in *Albright v. Oliver*, 510 U.S. 266 (1994), an arrest without probable cause does not constitute a violation of an arrestee’s substantive due process rights under the Fourteenth Amendment. *Id.* at 268; *see also Brooks v. City of Winston-Salem*, 85 F.3d 178, 184 (4th Cir. 1996) (noting that “[t]he Supreme Court has rejected the proposition that a defendant possesses a liberty interest in avoiding prosecution upon less than probable cause”). Plaintiff otherwise presents no facts to support a Fourteenth Amendment due process

claim. Accordingly, to the extent that Plaintiff tries to raise a distinct Fourteenth Amendment claim stemming from the circumstances of his arrest, he fails to plausibly plead such a claim.

Further, to the extent that Plaintiff attempts to assert a separate due process claim against Deputy Williams for “willingly or recklessly [giving] a false statement about the accident scene about our conversation,” such a claim must also fail. (Opp. at 1.) To state a claim for a substantive due process violation under 42 U.S.C. § 1983, a plaintiff must demonstrate that the defendant’s conduct “shocks the conscience.” *Temkin v. Frederick Cnty. Comm’rs*, 945 F.2d 716, 723 (4th Cir. 1991). A defendant’s conduct must constitute “a brutal and inhumane abuse of official power [that is] literally shocking to the conscience.” *Id.* at 720.

While an officer’s intentional deceit to obtain a warrant can sufficiently “shock the conscience,” Plaintiff’s conclusory allegations fail to support a reasonable inference that Deputy Williams purposefully lied to the Hanover County magistrate. *Cf. Davis*, 711 F. Supp. 2d at 621 (allowing substantive due process claim to proceed where plaintiff alleged that officer “lied to, and intentionally deceived” magistrate when filling out the “reliability section of [an] [a]ffidavit” for a search warrant). Plaintiff has “not alleged any factual basis for concluding that [Deputy Williams] knowingly presented false evidence or testimony to the magistrate.” *Safar*, 178 F. Supp. 3d at 351. Rather, Plaintiff’s complaints about Deputy Williams stem from his belief that Deputy Williams should have given him a citation following the July 10, 2024 accident rather than obtain a warrant for his arrest. (Am. Compl. § III; Opp. at 1 (“He was mandated to arrest me but failed to do so!”); *id.* at 2 (noting that Deputy Williams “made an attempt to give me his phone number to call him and arrange an appointment to get a warrant”).) But Deputy Williams’s decision to obtain an arrest warrant based on probable cause that Plaintiff had violated Virginia Code section 46.2-853 by recklessly driving without adequate brakes — in lieu

of issuing Plaintiff a citation or ticket — does not equate to intentional deception or so “shock the conscience” to support a substantive due process claim. *Temkin*, 945 F.2d at 723.

For all of these reasons, Plaintiff fails to state a Fourteenth Amendment due process claim and the Court GRANTS Defendants’ Motion as to any such claim.

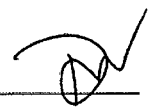
IV. CONCLUSION

For the reasons set forth above, the Court hereby GRANTS Defendants’ Motion to Dismiss (ECF No. 29) and DISMISSES WITH PREJUDICE Plaintiff’s Amended Complaint. Further, the Court DENIES Plaintiff’s Motion for Status Conference. (ECF No. 36.) Because the Amended Complaint suffers from fundamental deficiencies, the Court will not permit Plaintiff to further amend his pleadings, as any such amendment would be futile. *Cozzarelli v. Inspire Pharms., Inc.*, 549 F.3d 618, 630 (4th Cir. 2008). As the Court does not grant leave to amend, this Order qualifies as final and appealable. *See Britt v. DeJoy*, 45 F.4th 790, 796 (4th Cir. 2022) (holding that an order dismissing a case without leave to amend is final and appealable). Should Plaintiff desire to appeal, written notice of appeal must be filed with the Clerk of the Court within thirty (30) days of the date of entry hereof. Failure to file a notice of appeal within that period may result in the loss of the right to appeal. Fed. R. App. P. 4.

The Court DIRECTS the Clerk to CLOSE this case.

Let the Clerk file a copy of this Memorandum Order electronically, notify all counsel of record and email a copy to Plaintiff at his email address of record.

It is so ORDERED.


_____/s/_____
David J. Novak
United States District Judge

Richmond, Virginia
Dated: July 2, 2025

**Additional material
from this filing is
available in the
Clerk's Office.**