

JVR No. 2210250017, 2022 WL 15523705 (D.Ariz.) (Verdict and Settlement Summary)

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United States District Court, D. Arizona.

BRUBAKER v. CITY OF TUCSON ET AL.

4:10CV00649

DATE OF TRIAL/SETTLEMENT: August 18, 2022

TOPIC:

LIABILITY:

General: Law Enforcement

Specific: Illegal Search

Secondary: City Government: Civil Rights Violation

**SUMMARY**

**Outcome: Defense Verdict**

**Total: \$0**

**EXPERT-WITNESSES:**

**ATTORNEY:**

Plaintiff:

Kenneth K. Graham, Risner & Graham, Tucson, AZ

William J. Risner, Risner & Graham, Tucson, AZ

Defendant:

J. C. Patrascioiu, Curl, Glasson & Patrascioiu PLC, Tucson, AZ

JUDGE: [Stephen M. McNamee](#)

RANGE AMOUNT: \$0

STATE: Arizona

COUNTY: Not Applicable

**PRIMARY INJURY: Civil Rights Violation: Overall**

**SUMMARY**

**PLAINTIFF:**

Sex: M

Age: Adult

**DEFENDANT:**

Sex: O

Organization Type: City of Tucson

Sex: M

Age: Adult

General Occupation: Police Officer

Organization Type: Woolridge

Sex: M

Age: Adult

General Occupation: Police Officer

Organization Type: Pelton

**DAMAGES:**

Total Compensatory Award: \$0

Comparative Negligence Percentage: 0

**FACTS:**

Plaintiff Richard Brubaker said defendants Jack Woolridge and Michael Pelton, police officers employed by defendant City of Tucson, obtained a search warrant for his home, without probable cause, by misstating evidence and excluding relevant evidence, and served the warrant at his home.

The police officers reportedly did not find any drugs at the home, as specified in the warrant. The plaintiff said Woolridge invited a city inspector and animal control officers onto the premises without a warrant or his permission.

The plaintiff reportedly suffered emotional distress.

The plaintiff asserted judicial deception in violation of his Fourth Amendment rights and trespass.

The defendants claimed they were informed that someone had purchased drugs at the premises, and they obtained a search warrant and found the home in disarray, with unsanitary conditions and almost 50 cats in cages. The defendants said they were waiting for the city inspector and animal control to arrive when the plaintiff arrived and gave consent to the inspector and animal control to enter the home.

The defendants claimed the inspector condemned the home, and animal control removed the cats. The police officers said they searched the home for drugs and did not find any though the condition of the home made a conclusive search impossible.

Jury Verdict Research

COURT: USDC

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