

NO JUDICIAL IMMUNITY

“Holding that a judge’s use of physical force to evict someone from the courtroom is not a judicial act”

King v. McCree, Case No. 13-10567 (E.D. Mich. Jul. 26, 2013)

“Holding that a justice of the peace was not entitled to judicial immunity after he forced an observer out of the courtroom, threw him to the floor, jumped on him, and started beating him, all in the interest of preserving courtroom decorum”

TYSON v. DAMORE, Civil Action No. 03-5297. (E.D. Pa. Aug. 13, 2004)

“Finding no immunity for assaulting litigant”

TUCKER v. OUTWATER, 118 F.3d 930 (2d Cir. 1997)

“Finding no immunity where judge assaulted litigant”

Driscoll v. Rudnick, 13-CV-336M (W.D.N.Y. Apr. 24, 2014)

“Rejecting the defendant’s challenge to a district court’s failure to instruct the jury on a good faith defense, while upholding a jury instruction that allowed the jury to award punitive damages if it “found [defendant] to have acted `maliciously or wantonly or oppressively’ ”

DANG v. CROSS, 422 F.3d 800 (9th Cir. 2005)

“Stating that “[t]he right violated by an assault has been described as the right to be secure in one’s person, and is grounded in the due process clause of the Fourteenth Amendment”

U.S. v. LANIER, 73 F.3d 1380 (6th Cir. 1996)

“Permitting award of punitive damages against individual defendants”

SOTO v. CITY OF SACRAMENTO, (E.D. Cal. 1983), 567 F. Supp. 662 (E.D. Cal. 1983)