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FILED
CLERK, U.S. DISTRICT COURT
2/1/23
CENTRAL DISTRICT OF CALIFORNIA
BY: _____ CLA _____ DEPUTY

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

TOMMY M. FRANKS, JR.,
Plaintiff,
v.
COUNTY OF SAN BERNARDINO;
TYLER LOUP; and
DOES 1 through 10, inclusive,
Defendants.

Case No. 5:20-cv-02412-JWH-SPx
VERDICT FORM

1 We, the jury in the above-entitled action, unanimously find on the
2 questions presented as follows:

3

4 1. Did Defendant Deputy Tyler Loup detain Plaintiff Tommy Mark
5 Franks, Jr. without reasonable suspicion that Mr. Franks was engaged in
6 criminal activity?

7 Yes _____ No _____

8 *Please proceed to Question 2.*

9

10 2. Was the length or scope or manner of Plaintiff Tommy Mark
11 Franks, Jr.'s detention by Defendant Deputy Tyler Loup unreasonable under
12 the circumstances?

13 Yes _____ No _____

14 *Please proceed to Question 3.*

15

16 3. Did Defendant Deputy Tyler Loup arrest Plaintiff Tommy Mark
17 Franks, Jr. without probable cause to believe that Mr. Franks had committed a
18 crime or was committing a crime?

19 Yes _____ No _____

20 *Please proceed to Question 4.*

21

22 4. Did Defendant Deputy Tyler Loup cause Plaintiff Tommy Mark
23 Franks, Jr.'s criminal prosecution for violation of California Penal Code
24 section 148(a)(1)?

25 Yes _____ No _____

26 *Please proceed to Question 5.*

27

28

1 5. Did Defendant Deputy Tyler Loup's handcuffing of Plaintiff
2 Tommy Mark Franks, Jr. constitute excessive force?

3 Yes X No _____

4 *Please proceed to Question 6.*

5
6 6. Was Plaintiff Tommy Mark Franks, Jr.'s exercise of his First
7 Amendment right to freedom of speech a substantial or motivating factor in
8 Defendant Deputy Tyler Loup taking adverse actions against Mr. Franks?

9 Yes X No _____

10

11 If you answered "Yes" to any of Questions 1 through 6, *please proceed to*
12 *Question 7.* If you answered "No" to all of Questions 1 through 6, *please proceed*
13 *to Question 8.*

14

15 7. State the amount of Plaintiff's Damages:

16 \$ 375,000.

17 *Please proceed to Question 8.*

18

19 8. Was the conduct of Defendant Deputy Tyler Loup done
20 maliciously or in reckless disregard of Plaintiff Tommy Mark Franks, Jr.'s First
21 or Fourth Amendment rights?

22 Yes X No _____

23

24 Please sign, date, and return this verdict form.

25

26 Dated: Feb. 1, 2023

Jur 

27

28