

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

August 2, 2024

Lyle W. Cayce  
Clerk

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No. 21-50276

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SYLVIA GONZALEZ,

*Plaintiff—Appellee,*

*versus*

EDWARD TREVINO, II, *Mayor of Castle Hills, sued in his individual capacity*; JOHN SIEMENS, *Chief of the Castle Hills Police Department, sued in his individual capacity*; ALEXANDER WRIGHT, *sued in his individual capacity*,

*Defendants—Appellants.*

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 5:20-CV-1151

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ON REMAND FROM

THE SUPREME COURT OF THE UNITED STATES

Before BARKSDALE, ENGELHARDT, and OLDHAM, *Circuit Judges*.

PER CURIAM:

In *Gonzales v. Trevino*, 602 U.S. ---, [144 S. Ct. 1663](#) (2024), the Supreme Court vacated the panel majority’s reversal of the District Court’s denial of a motion to dismiss and remanded “for the lower courts to assess whether Gonzalez’s evidence suffices to satisfy the *Nieves* exception.” *Id.* at

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1668. Accordingly, we REMAND this case to the District Court for further proceedings consistent with the Supreme Court's opinion.