United States Court of Appeals for the Fifth Circuit

United States Court of Appeals
Fifth Circuit
FILED
November 3, 2026
Thomas B. Plunkett, III
Clerk

No. 26-30170

DAMONE WILLIAMS,

Plaintiff—Appellant,

versus

DARRYL SANDERS; THE CITY OF BATON ROUGE,

Defendants—Appellees.

Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 3:22-CV-858

Before RICHMAN, HAYNES, and DOUGLAS, *Circuit Judges*.

PER CURIAM:[*]

Damone Williams brought a 42 U.S.C. § 1983 claim and related state law claims against Darryl Sanders and the City of Baton Rouge, claiming that Sanders used excessive force against him. The district court dismissed Williams's claims at summary judgment, holding that Sanders was entitled to qualified immunity. We AFFIRM.

[*] This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

I. Background

Darryl Sanders, an arson investigator with the Baton Rouge Fire Department, was on duty while getting his hair cut at a barber shop in Baton Rouge, Louisiana. He was informed that there was an incident occurring outside involving a naked man, later identified as Damone Williams. When Sanders went to see what was going on, he observed Williams striking Sanders's city-issued truck window with a backpack. Eventually the window broke, and Williams began reaching inside the car, where Sanders had stored an AR-15. Sanders shouted at Williams, telling him not to move and show his hands, but Williams continued to reach inside the truck. Sanders then shot at Williams and missed. Sanders issued another verbal command, fired a second shot, and Williams collapsed.

Sanders ordered someone to dial 911 and asked for towels so he could render aid to Williams. As Sanders approached Williams to provide assistance, Williams rose from the ground, opened the truck door, and grabbed the AR-15. A struggle over the gun then ensued between Williams and Sanders. Sanders fired a third shot at Williams during the altercation, leaving Williams paralyzed from the waist down.

Williams filed suit against Sanders and the City of Baton Rouge, alleging violations of federal and state law as a result of Sanders's use of force. Williams asserted claims for excessive force under 42 U.S.C. § 1983 and Louisiana law, and for aggravated battery and negligence under Louisiana law.[1] Defendants moved for summary judgment on all of Williams's claims, arguing that Sanders's use of force was objectively reasonable and that Sanders was entitled to qualified immunity. The district court granted

[1] The district court initially denied Defendants' motion to dismiss.

Defendants' motion and dismissed Williams's suit with prejudice. Williams timely appealed.

II. Jurisdiction & Standard of Review

The district court had jurisdiction over this case under 28 U.S.C. §§ 1331 and 1367, and we have jurisdiction to consider this appeal under 28 U.S.C. § 1291 since the district court entered final judgment.

"We review *de novo* the district court's grant of summary judgment, using the same standards as the district court and considering whether there is any genuine issue of material fact that requires resolution by a jury." *Ontiveros v. City of Rosenberg, Tex.*, 564 F.3d 379, 382 (5th Cir. 2009). Summary judgment is proper where there is no genuine dispute of material fact and the movant is entitled to judgment as a matter of law. FED. R. CIV. P. 56(a).

III. Discussion

On appeal, Williams challenges the district court's dismissal of his § 1983 claim and related claims based on the holding that Sanders was entitled to qualified immunity. We agree with the district court.

A. Excessive force claim under § 1983

Williams argues, via § 1983, that Sanders violated his Fourth Amendment rights by using excessive force on him. Sanders raised the defense of qualified immunity below. Once Sanders asserted qualified immunity, the burden shifted to Williams to overcome that defense. *Estate of Davis ex rel. McCully v. City of N. Richland Hills*, 406 F.3d 375, 380 (5th Cir. 2005). Qualified immunity shields government officials "from liability for civil damages insofar as their conduct does not violate clearly established statutory or constitutional rights of which a reasonable person would have known." *Id.* (citation omitted). The inquiry has two prongs: (1) whether the

officer's conduct violated a constitutional right, and (2) whether that right "was clearly established at the time." *Pearson v. Callahan*, 555 U.S. 223, 232 (2009) (citation modified). Because Williams fails to satisfy the first prong, we need not reach the second.

To prevail on his Fourth Amendment excessive force claim, Williams must show: "(1) an injury (2) which resulted directly and only from a use of force that was clearly excessive, and (3) the excessiveness of which was clearly unreasonable." *Ontiveros*, 564 F.3d at 382 (citation omitted). Defendants concede injury; only excessiveness and reasonableness are at issue. Reasonableness is assessed "from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight," and with "allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving." *Graham v. Connor*, 490 U.S. 386, 396–97 (1989). The inquiry "requires analyzing the totality of the circumstances." *Barnes v. Felix*, 605 U.S. 73, 80 (2025) (citation modified).

Sanders's use of force did not violate the constitution. "The use of deadly force is not unreasonable when an officer would have reason to believe the suspect poses a threat of serious harm to the officer or others." *Salazar-Limon v. City of Houston*, 826 F.3d 272, 278 (5th Cir. 2016) (citation modified), *as revised* (June 16, 2016). We have held that deadly force is justified when an officer reasonably believes that an individual is reaching for a gun, even if the officer had not yet seen the gun when he fired. *Cloud v. Stone*, 993 F.3d 379, 387 (5th Cir. 2021). Sanders knew that his loaded AR-15 was in his truck when he saw Williams reach through the window. Thus, a reasonable officer on the scene, who knew that a loaded AR-15 was within Williams's reach, could have reasonably believed that Williams posed a serious threat of harm to the officer or nearby citizens. Sanders's firing of the

first two shots was not constitutionally excessive; therefore, Sanders did not violate Williams's constitutional rights when he fired those shots.

The same logic applies to the third shot. Sanders fired the third shot while he and Williams were struggling for control over Sanders's loaded AR-15, with bystanders nearby. A reasonable officer in those circumstances could have reasonably believed that Williams posed a serious threat of harm to the officer and nearby citizens.

Accordingly, Sanders's use of force was reasonable and not a violation of Williams's constitutional rights. Therefore, the district court did not err when it held that Sanders was entitled to qualified immunity and dismissed Williams's § 1983 claim.

B. Related state law claims

Williams's state law claims were also correctly dismissed. Under Louisiana law, officers can only be held liable for the use of force if it was excessive. *See Kyle v. City of New Orleans*, 353 So. 2d 969, 972-73 (La. 1977); *Penn v. St. Tammany Parish Sheriff's Off.*, 843 So. 2d 1157, 1161 (La. Ct. App. 2003). Louisiana's qualified immunity standard is the same as the federal standard. *See Moresi v. State Through Dept. of Wildlife and Fisheries*, 567 So.2d 1081, 1094 (La. 1990). Therefore, summary judgment was correctly granted on Williams's state law claims for the same reasons discussed above.

Finally, because Williams cannot sustain his underlying claim against Sanders, it follows that his vicarious liability claim against the City of Baton Rouge also fails. *See Courville on Behalf of Vincent v. City of Lake Charles*, 720 So. 2d 789, 800 (La. Ct. App. 1998).

IV. Conclusion

For the foregoing reasons, we AFFIRM.