

Shahid Haque  
Border Crossing Law Firm, P.C.  
7 West 6th Avenue, Ste. 2A  
Helena, MT 59624  
(406) 594-2004

Matt Adams  
Leila Kang  
Anne Recinos  
Aaron Korthuis  
Northwest Immigrant Rights Project  
615 Second Avenue, Suite 400  
Seattle, WA 98104  
(206) 957-8611

*Attorneys for Plaintiffs*

UNITED STATES DISTRICT COURT  
DISTRICT OF MONTANA  
BILLINGS DIVISION

MIGUEL ANGEL REYNAGA  
HERNANDEZ,

Plaintiff,

v.

DERREK SKINNER, et al.

Defendants.

No. CV 18-40-BLG-SPW

**PLAINTIFF'S CROSS-MOTION  
FOR SUMMARY JUDGMENT**

Pursuant to Rule 56(a) of the Federal Rules of Civil Procedure and this Court's order, Dkt. 52, Plaintiff Miguel Reynaga Hernandez files this cross-motion for summary judgment against Defendants Pedro Hernandez and Derrek Skinner.

The Court should grant summary judgment in favor of Mr. Reynaga because undisputed facts show that Defendants unlawfully seized him without reasonable suspicion or probable cause. Defendants thus violated the Fourth Amendment and are liable under 42 U.S.C. § 1983. No other source of law provided Defendants with the authority to seize an individual based on suspicion of a civil immigration violation. Mr. Reynaga seeks declaratory relief, and compensatory and punitive damages.

This motion is based on the accompanying Statement of Undisputed Facts, Brief in Support of Cross-Motion for Summary Judgment, supporting declarations and exhibits, and all other previously filed pleadings and documents in this action. Defendants oppose this motion.

DATED this 20th day of March, 2019.

/s/ Matt Adams  
/s/ Leila Kang  
/s/ Anne Recinos  
/s/ Aaron Korthuis

Northwest Immigrant Rights Project  
615 Second Avenue, Suite 400  
Seattle, WA 98104  
(206) 957-8611  
matt@nwirp.org  
leila@nwirp.org  
anne@nwirp.org  
aaron@nwirp.org

/s/ Shahid Haque

Border Crossing Law Firm, P.C.  
7 West 6th Avenue, Ste. 2A  
Helena, MT 59624  
(406) 594-2004  
shahid@bordercrossinglaw.com

*Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

I, Sydney Maltese, hereby certify that on this 20th day of March, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Kevin Gillen

kgillen@co.yellowstone.mt.gov,  
lrobison@co.yellowstone.mt.gov,  
llessard@co.yellowstone.mt.gov,  
jelwell@co.yellowstone.mt.gov,  
menglish@co.yellowstone.mt.gov

DATED this 20th day of March, 2019.

By:   
Sydney Maltese, Paralegal to Matt Adams  
615 Second Avenue, Suite 400  
Seattle, WA 98104  
(206) 957-8611  
matt@nwirp.org  
sydney@nwirp.org