

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NORTH HAVEN

M.R., a minor, by her parent ANA RIVERA, Plaintiff, v. LAKEVIEW UNIFIED SCHOOL DISTRICT et al., Defendants. Case No. 3:26-cv-04417 (fictional)

DEFENDANTS' MEMORANDUM IN OPPOSITION TO PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT

I. LEGAL STANDARD

Summary judgment is proper only if there is no genuine dispute of material fact. A dispute is genuine "if the evidence is such that a reasonable jury could return a verdict for the nonmoving party." *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986). The moving party need not negate the opponent's claim with affidavits. *Celotex Corp. v. Catrett*, 477 U.S. 317, 323 (1986).

II. THE SEARCH WAS REASONABLE AT ITS INCEPTION AND IN ITS SCOPE

Plaintiff M.R., born March 4, 2011, was a seventh-grade student when the vice principal searched her backpack on October 2, 2025.

School officials need only reasonable suspicion. The accommodation of students' privacy with the needs of schools "does not require any adherence to the requirement that searches be based on probable cause." *New Jersey v. T. L. O.*, 469 U.S. 325, 340 (1985). A search is justified at its inception when there are "reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school." *Id.* at 342.

In *Safford Unified School District #1 v. Redding*, 557 U.S. 364 (2009), the Court held that a strip search of a student is always permissible when school officials suspect that the student is hiding drugs. The later search of M.R.'s outer clothing was far less intrusive than the search upheld there.

Courts applying T.L.O. have repeatedly approved searches on facts like these. See *Hollis v. Brentwood School District*, 925 F.3d 1339, 1344 (9th Cir. 2019) (holding that a search based on an anonymous tip about a vape pen was reasonable at its inception); *Dunmore v. Cedar Falls Community Schools*, 2021 WL 4471123, at *3 (N.D. Iowa Sept. 29, 2021) (same, for a search of a locker).

III. THE INDIVIDUAL DEFENDANTS ARE ENTITLED TO QUALIFIED IMMUNITY

Government officials performing discretionary functions "generally are shielded 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." *Harlow v. Fitzgerald*, 457 U.S. 800, 818 (1982). No case put the vice principal on notice that this search was unlawful.

CONCLUSION

The Court should deny Plaintiff's motion for partial summary judgment.

Respectfully submitted, /s/ Jordan Hale, counsel for Defendants (fictional).