

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MARIA CARDENAS, individually and as
representative of the ESTATE OF ALEXIS
JOVANY CARDENAS and as next friend of F.A.,
a Minor, K.C., a Minor, K.C., a Minor, and A.C., a
Minor; and ELENA GUZMAN

Plaintiffs,

CASE NO.: _____

v.

Jury Trial Demanded

HARRIS COUNTY, a county of the State of Texas;
and JOHN DOE OFFICERS #1 – 18,

Defendants.

_____/

COMPLAINT

Plaintiffs Maria Cardenas, F.A., K.C., K.C., A.C., and Elena Guzman, (collectively, “Plaintiffs”), by and through their undersigned counsel, hereby sue Harris County, Texas and JOHN DOE OFFICERS #1 – #18 (collectively, “Defendants”), and allege as follows:

INTRODUCTION

1. Alexis Jovany Cardenas was a 32-year-old father of four, a loving husband, and a devoted son. On July 6, 2025, Mr. Cardenas was arrested on a decade-old municipal warrant for unpaid traffic tickets,¹ which the Harris County Sheriff’s Office (“HCSO”) turned into a death sentence. Although the decade-old misdemeanor traffic charges that prompted Mr. Cardenas’s

¹ See Houston Municipal Court Records, attached hereto as Exhibit A, at 1, 3-12.

arrest on the afternoon of July 6, 2025 were dismissed by a municipal judge on Monday, July 7, 2025 at approximately 8:00 AM,² HCSO did not release him from the Harris County Jail (“Jail”) until shortly before 1:00 AM on July 8, 2025. When, upon information and belief, Mr. Cardenas tried to explain to two HCSO detention officers that he could not leave the Jail in the middle of the night without a working cellphone or a plan for getting home safely, the officers assaulted him. Additional HCSO detention officers joined in on the assault, throwing Mr. Cardenas to the floor and punching him in the head and neck. The officers then pinned Mr. Cardenas face-down on the floor and pressed down on his head, neck, back, and legs, preventing him from breathing. The officers held Mr. Cardenas in this position for more than seven minutes—long after Mr. Cardenas had stopped moving. Several more HCSO officers, including supervising sergeants, looked on as Mr. Cardenas struggled for his life and took his final breaths. At all times before and during the repeated assaults he faced from HCSO officers, Mr. Cardenas was unarmed and non-threatening. Indeed, Mr. Cardenas had been incarcerated for minor, non-violent traffic violations—that were dismissed in their entirety the day prior to his release—and he had been deemed safe for release from the Jail.

2. Mr. Cardenas’s killing was not an isolated tragedy but the product of the pervasive culture of violence in the Jail. For years, Harris County (“the County”) has tolerated this culture of violence and unconstitutional use of force, resulting in hundreds of detainee deaths and thousands of serious injuries. HCSO detention officers regularly assault unarmed, non-violent, non-threatening, and non-resisting individuals, like Mr. Cardenas, with the same type of deadly force used against Mr. Cardenas here: violent take-down maneuvers, closed-fist strikes to the face and head, and prone restraint holds. Yet the County, under the leadership of Sheriff Ed

² See *id.* at 2, 15-18.

Gonzalez, has utterly failed to address these ongoing constitutional violations and make the changes necessary to prevent future instances of harm. By condoning, encouraging, and perpetuating the widespread practice of excessive force within the Jail, the County bears responsibility for Mr. Cardenas's violent and unnecessary death.

JURISDICTION AND VENUE

3. This Court has jurisdiction over the claims asserted herein pursuant to 28 U.S.C. §§ 1331, 1343(a)(3), and 1367(a).

4. Venue is proper because the facts giving rise to Plaintiffs' claims occurred within the Southern District of Texas. *See* 28 U.S.C. § 1391.

PARTIES

5. Plaintiff MARIA CARDENAS is a resident of the State of Texas and resides in Harris County, Texas. Plaintiff is the widow of Decedent ALEXIS JOVANY CARDENAS and is the legal representative of Alexis Jovany Cardenas's estate. She files suit in her individual capacity, her representative capacity, and as Next Friend of the minor children of ALEXIS JOVANY CARDENAS.

6. Plaintiff F.A., a minor, is a resident of the State of Texas and resides in Harris County, Texas. Plaintiff is a child and heir of Decedent ALEXIS JOVANY CARDENAS.

7. Plaintiff K.C., a minor, is a resident of the State of Texas and resides in Harris County, Texas. Plaintiff is a child and heir of Decedent ALEXIS JOVANY CARDENAS.

8. Plaintiff K.C., a minor, is a resident of the State of Texas and resides in Harris County, Texas. Plaintiff is a child and heir of Decedent ALEXIS JOVANY CARDENAS.

9. Plaintiff A.C., a minor, is a resident of the State of Texas and resides in Harris County, Texas. Plaintiff is a child and heir of Decedent ALEXIS JOVANY CARDENAS.

10. Plaintiff ELENA GUZMAN is a resident of the State of Texas and resides in Harris County, Texas. Plaintiff is the mother of Decedent ALEXIS JOVANY CARDENAS.

11. Defendant HARRIS COUNTY is a government entity organized and existing under the laws of the State of Texas. Defendant Harris County is responsible for the Harris County Sheriff's Office, which in turn operates the Harris County Jail. Defendant Harris County may be served with this Complaint by and through Harris County Judge Lina Hidalgo at 1001 Preston, Suite 911, Houston, Texas 77002.

12. Defendant JOHN DOE #1 was at all times relevant to this Complaint working in the Harris County Jail, as an employee or agent of HCSO, acting within the scope of his employment or agency with HCSO and under the color of state law.

13. Defendant JOHN DOE #2 was at all times relevant to this Complaint working in the Harris County Jail, as an employee or agent of HCSO, acting within the scope of his employment or agency with HCSO and under the color of state law.

14. Defendant JANE DOE #3 was at all times relevant to this Complaint working in the Harris County Jail, as an employee or agent of HCSO, acting within the scope of her employment or agency with HCSO and under the color of state law.

15. Defendant JOHN DOE #4 was at all times relevant to this Complaint working in the Harris County Jail, as an employee or agent of HCSO, acting within the scope of his employment or agency with HCSO and under the color of state law.

16. Defendant JOHN DOE #5 was at all times relevant to this Complaint working in the Harris County Jail, as an employee or agent of HCSO, acting within the scope of his employment or agency with HCSO and under the color of state law.

17. Defendant JOHN DOE #6 was at all times relevant to this Complaint working in the Harris County Jail, as an employee or agent of HCSO, acting within the scope of his employment or agency with HCSO and under the color of state law. On information and belief, Defendant JOHN DOE #6 was at all times relevant to this Complaint employed as a sergeant with supervisory authority.³

18. Defendant JOHN DOE #7 was at all times relevant to this Complaint working in the Harris County Jail, as an employee or agent of HCSO, acting within the scope of his employment or agency with HCSO and under the color of state law.

19. Defendant JOHN DOE #8 was at all times relevant to this Complaint working in the Harris County Jail, as an employee or agent of HCSO, acting within the scope of his employment or agency with HCSO and under the color of state law.

20. Defendant JOHN DOE #9 was at all times relevant to this Complaint working in the Harris County Jail, as an employee or agent of HCSO, acting within the scope of his employment or agency with HCSO and under the color of state law.

21. Defendant JOHN DOE #10 was at all times relevant to this Complaint working in the Harris County Jail, as an employee or agent of HCSO, acting within the scope of his employment or agency with HCSO and under the color of state law.

22. Defendant JOHN DOE #11 was at all times relevant to this Complaint working in the Harris County Jail, as an employee or agent of HCSO, acting within the scope of his employment or agency with HCSO and under the color of state law.

³ Plaintiffs base this allegation about JOHN DOE #6's rank on the fact that he wore a uniform with gold chevron patches on both sleeves, located just below the HCSO patches. *See infra* ¶¶ 65 and 79. According to HCSO's dress code policy, "[s]ergeants must have gold supervisor chevrons on both sleeves of each shirt . . . centered 0.5 inches under the HCSO patch." HCSO Policy 240 – Dress Code, Section IV(G), available at: <https://hcsopolicy.com/policy/240-dress-code/>.

23. Defendant JOHN DOE #12 was at all times relevant to this Complaint working in the Harris County Jail, as an employee or agent of HCSO, acting within the scope of his employment or agency with HCSO and under the color of state law.

24. Defendant JOHN DOE #13 was at all times relevant to this Complaint working in the Harris County Jail, as an employee or agent of HCSO, acting within the scope of his employment or agency with HCSO and under the color of state law.

25. Defendant JOHN DOE #14 was at all times relevant to this Complaint working in the Harris County Jail, as an employee or agent of HCSO, acting within the scope of his employment or agency with HCSO and under the color of state law.

26. Defendant JOHN DOE #15 was at all times relevant to this Complaint working in the Harris County Jail, as an employee or agent of HCSO, acting within the scope of his employment or agency with HCSO and under the color of state law.

27. Defendant JOHN DOE #16 was at all times relevant to this Complaint working in the Harris County Jail, as an employee or agent of HCSO, acting within the scope of his employment or agency with HCSO and under the color of state law. On information and belief, Defendant JOHN DOE #16 was at all times relevant to this Complaint employed as a sergeant with supervisory authority.⁴

28. Defendant JOHN DOE #17 was at all times relevant to this Complaint working in the Harris County Jail, as an employee or agent of HCSO, acting within the scope of his employment or agency with HCSO and under the color of state law.

⁴ Plaintiffs base this allegation about JOHN DOE #16's rank on the fact that he wore a uniform with gold chevron patches on both sleeves, located just below the HCSO patches. *See supra* n.3, *infra* ¶ 79.

29. Defendant JOHN DOE #18 was at all times relevant to this Complaint working in the Harris County Jail, as an employee or agent of HCSO, acting within the scope of his employment or agency with HCSO and under the color of state law. On information and belief, Defendant JOHN DOE #18 was at all times relevant to this Complaint employed as a sergeant with supervisory authority.⁵

FACTUAL ALLEGATIONS

I. HCSO's Custody of Alexis Cardenas

30. Mr. Cardenas was booked into the Jail at or around 6:27 PM on Sunday, July 6, 2025, following his arrest on a decade-old municipal warrant for unpaid traffic tickets.⁶

31. According to Sheriff Gonzalez, Mr. Cardenas was medically screened upon his arrival at the Jail, which revealed “no major physical or mental health issues.”⁷

32. At 8:00 AM on Monday, July 7, 2025—the very next court date following Mr. Cardenas's arrest—Judge Darryl Scott of the Houston Municipal Court dismissed all of Mr. Cardenas's charges.⁸

33. Although Mr. Cardenas's charges had been dismissed in their entirety by 8:04 AM on July 7, 2025, he remained in HCSO's custody at the Jail for nearly 17 more hours, until he was released at or around 12:50 AM on July 8, 2025.⁹

⁵ Plaintiffs base this allegation about JOHN DOE #18's rank on the fact that he wore a uniform with gold chevron patches on both sleeves, located just below the HCSO patches. *See supra* n.3, *infra* ¶ 93.

⁶ Exhibit A at 1, 3-12.

⁷ *Harris County Sheriff's Office Releases Video of July 8, 2025 Critical Incident*, HCSOTexas (Aug. 1, 2025), at 2:11, https://www.youtube.com/watch?v=-UtgBPkhR_I&t=131s. All editing, narration, and text graphics which appear within the Critical Incident Video are from the HCSO Media Relations Office.

⁸ Exhibit A at 2, 15-18.

⁹ *Harris County Sheriff's Office Releases Video of July 8, 2025 Critical Incident*, *supra* n.7, at 2:23.

34. In 2019, after determining that nighttime release from custody exposes released detainees to danger,¹⁰ the Texas Legislature passed a law requiring all jail facilities to “release an inmate at any time beginning at 6 a.m. and ending at 5 p.m. on the day the inmate discharges the inmate’s sentence.”¹¹

35. Despite this law, and upon information and belief, the Jail routinely releases detainees in the middle of the night without providing them any transportation support—after holding them for upwards of 12 hours beyond the time they have posted bond or have had their charges dismissed.¹²

36. At the time of his release, Mr. Cardenas was obviously unarmed and had been deemed safe by Jail officials for release and return to the community.

II. Defendant Officers’ Use of Excessive Force Against Mr. Cardenas

37. Mr. Cardenas completed the discharge process and accepted a small paper bag containing his belongings, including his cellphone.¹³ He was then escorted by two HCSO officers, JOHN DOE #1 and JOHN DOE #2, to a room containing an exit door to the street.¹⁴

38. At the exit door, Mr. Cardenas spoke with JOHN DOEs #1 and #2, indicating his reluctance to leave. Upon information and belief, Mr. Cardenas was trying to inform the officers that his cellphone battery was dead, leaving him without a safe means of returning home at such an early hour.

¹⁰ 44 TexReg 7408 (Nov. 29, 2019), available at: <https://texashistory.unt.edu/ark:/67531/metaph1221918/m1/178/>.

¹¹ 37 Tex. Admin. Code § 267.6.

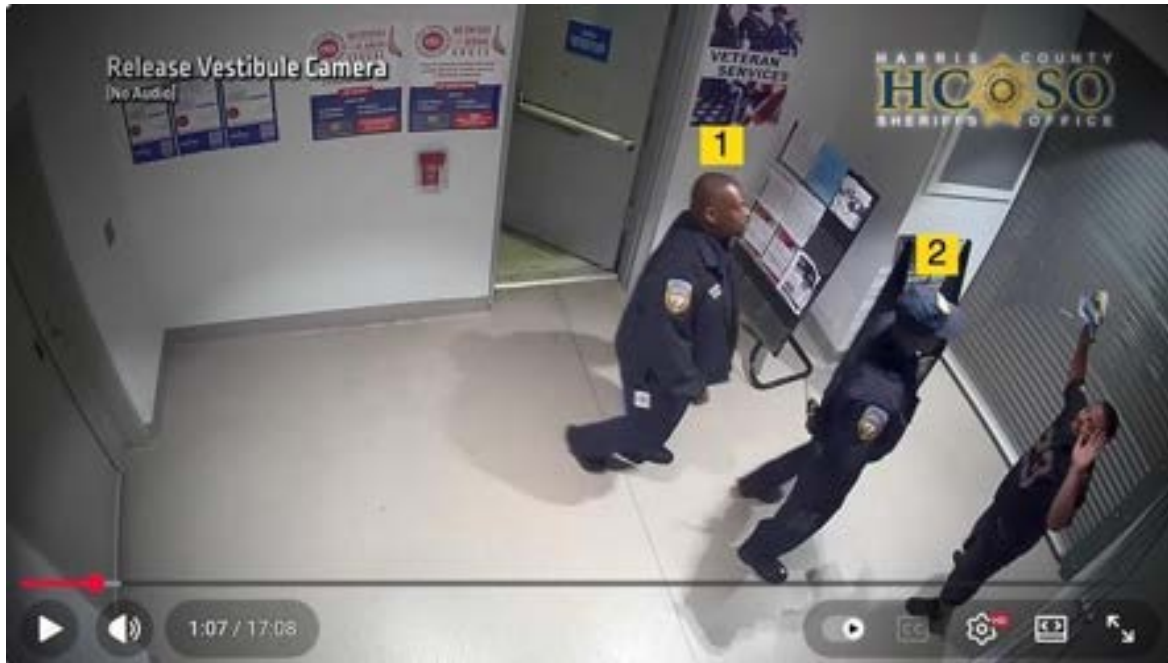
¹² See, e.g., Reddit/Houston, If you’ve been to Harris county jail ... please read, available at: https://www.reddit.com/r/houston/comments/1374p2s/if_youve_been_to_harris_county_jail_please_read/ (last visited Feb. 19, 2026).

¹³ *Harris County Sheriff’s Office Releases Video of July 8, 2025 Critical Incident*, *supra* n.7, at 0:39.

¹⁴ *Id.* at 0:55.

39. Mr. Cardenas backed away from the exit door and JOHN DOE #2 responded by placing his hands on Mr. Cardenas's shoulders and shoving him.¹⁵

40. In response to JOHN DOE #2's aggression, Mr. Cardenas backed away with his hands raised in submission:



41. JOHN DOEs #1 and #2 advanced toward Mr. Cardenas, backing him into a corner. Mr. Cardenas's hands were still raised in submission when JOHN DOEs #1 and #2 grabbed his arms and tackled him to the floor.¹⁶

42. JOHN DOE #2 dragged Mr. Cardenas by his pant leg with such force that Mr. Cardenas's pants and one of his shoes came off.¹⁷

43. As JOHN DOE #2 dragged Mr. Cardenas across the floor, JOHN DOE #1 unholstered his taser and aimed it at Mr. Cardenas.¹⁸

15 [*Id.* at 1:05.](#)

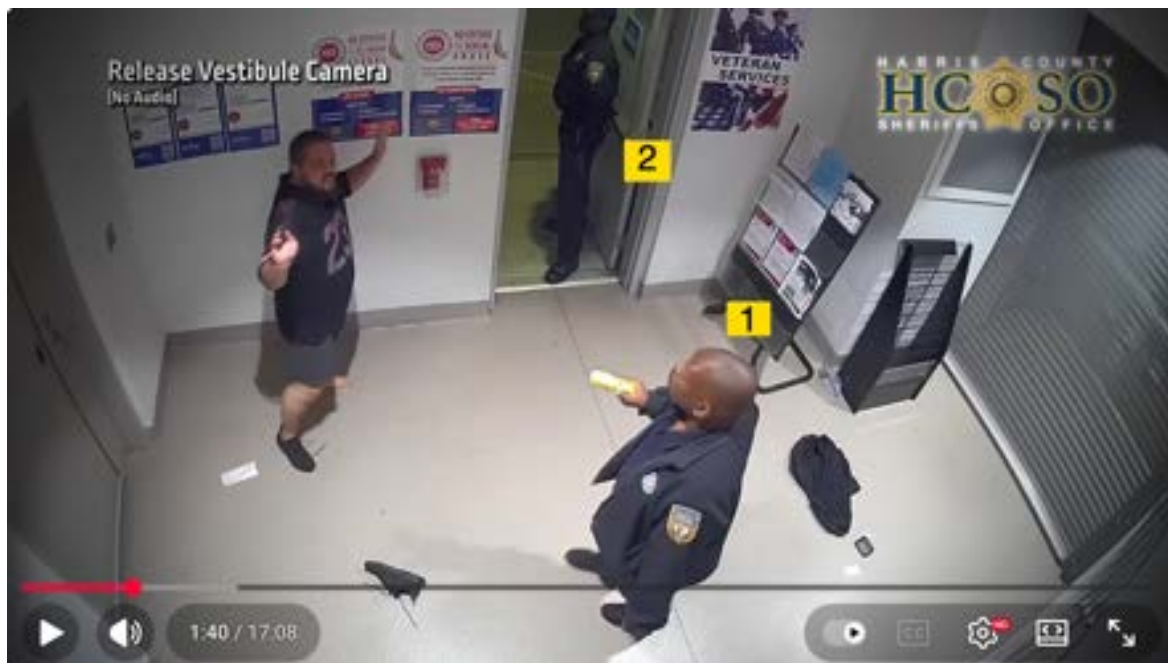
16 [*Id.* at 1:11.](#)

17 [*Id.* at 1:15.](#)

18 *Id.*

44. Mr. Cardenas stood up, removed his pants from his ankles, and threw a piece of paper on the floor. At no point did Mr. Cardenas lunge at either officer or make any other threatening movements. Nevertheless, JOHN DOE #1 kept his taser aimed at Mr. Cardenas.¹⁹

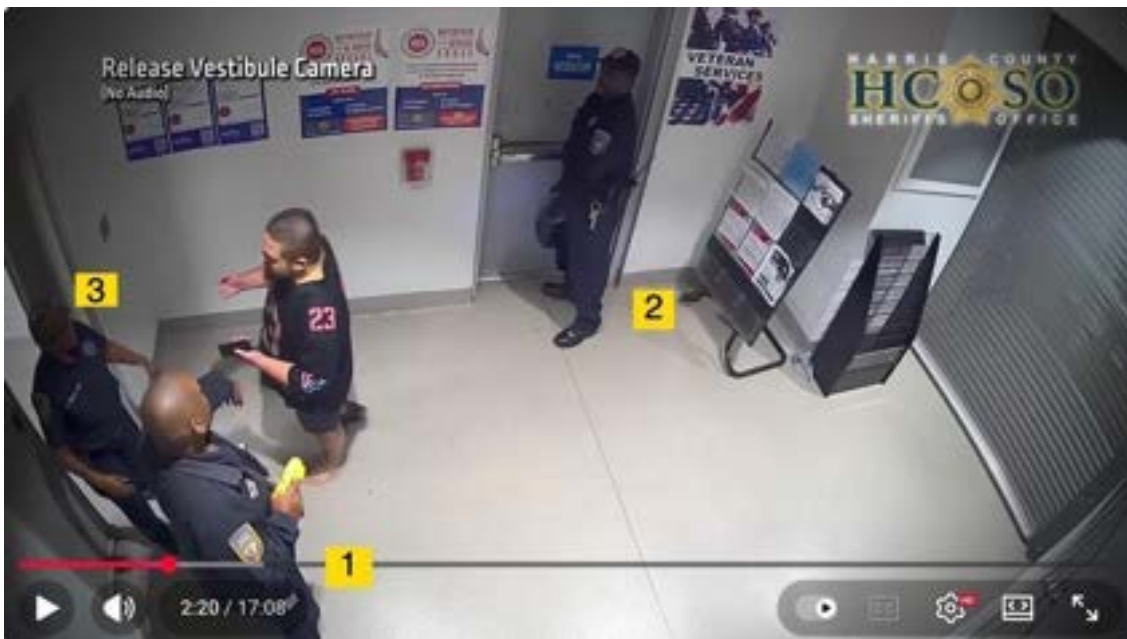
45. Mr. Cardenas raised his hands in submission yet again:



46. Mr. Cardenas resumed his attempt to speak with the two officers. He gestured repeatedly to his cellphone to indicate, on information and belief, that he needed to charge it before leaving the jail in the middle of the night.

47. A third officer, JANE DOE #3, then entered the room through an internal door:

¹⁹ [*Id.* at 1:22.](#)



48. As JANE DOE #3 entered the room, Mr. Cardenas attempted to walk into a second room through the door that she had just entered.

49. JOHN DOE #2 responded by grabbing the neck of Mr. Cardenas's shirt from behind and throwing Mr. Cardenas to the floor.²⁰ JANE DOE #3 walked to the exit door and held it open while JOHN DOEs #1 and #2 rushed Mr. Cardenas, dragging him by his feet, his arms, and his shirt toward the exit.

50. As JOHN DOEs #1 and #2 dragged Mr. Cardenas across the floor, Mr. Cardenas placed his arms around JOHN DOE #1's legs, causing JOHN DOE #1 to fall. Mr. Cardenas and JOHN DOE #1 tussled for a few moments on the floor.

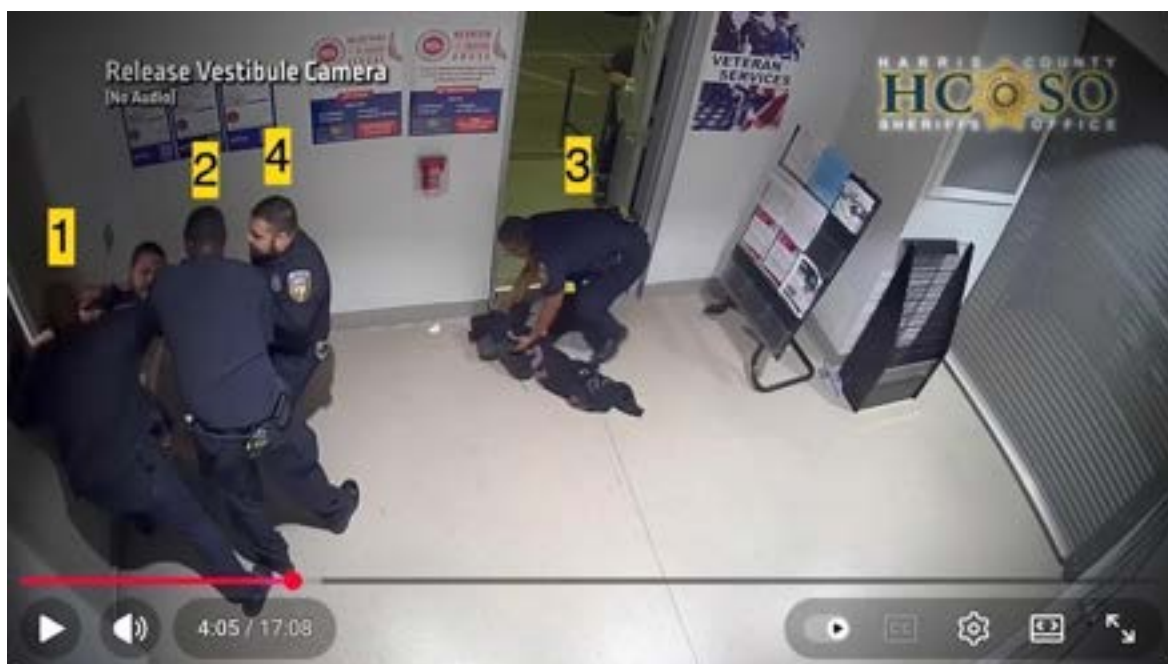
51. Mr. Cardenas stood up and JOHN DOE #1 tased him.

52. JOHN DOE #2 slammed Mr. Cardenas against the wall and punched him several times with a closed fist.

²⁰ [Id. at 2:24.](#)

53. A fourth officer, JOHN DOE #4, opened the door between the first and second rooms. JOHN DOE #4 grabbed Mr. Cardenas's left arm while JOHN DOE #2 continued striking Mr. Cardenas.

54. Mr. Cardenas moved toward the door leading to the second room. JOHN DOEs #2 and #4 pulled Mr. Cardenas away from the doorway by his left arm while JOHN DOE #1 pulled on Mr. Cardenas's right arm. JANE DOE #3 gathered Mr. Cardenas's clothing and other belongings from the floor:



55. JOHN DOE #2 then grabbed Mr. Cardenas by the neck:



56. Mr. Cardenas pushed through the door and into the second room, where three detainees were standing.

57. JOHN DOEs #1, #2, and #4 followed Mr. Cardenas into this second room. After JOHN DOE #4 brought Mr. Cardenas to the floor, JOHN DOE #2 approached Mr. Cardenas and kned him in the stomach.²¹

58. JANE DOE #3 entered the second room as the three officers pinned Mr. Cardenas down on his left side. Mr. Cardenas rolled onto his back, but JOHN DOEs #1, #2, and #4 remained on top of him. JOHN DOE #2 delivered several closed-fist punches to Mr. Cardenas's torso.²²

²¹ [Id. at 4:24.](#)

²² [Id. at 4:50.](#)

59. Mr. Cardenas, in clear distress, flailed his arms and legs. JOHN DOE #4 responded by pushing down on Mr. Cardenas's throat and punching Mr. Cardenas in the head several times in quick succession.²³

60. JOHN DOE #4 delivered a closed-fist strike directly to Mr. Cardenas's throat and then continued punching Mr. Cardenas in the head.

61. Mr. Cardenas called out to the three detainees in the room for help, but JANE DOE #3 led them out of the room.²⁴

62. JOHN DOES #1, #2, and #4 rolled Mr. Cardenas onto his stomach. JOHN DOE #4 pushed Mr. Cardenas's face into the floor with one arm while pressing down on the top of Mr. Cardenas's back with the other. At the same time, JOHN DOE #1 pushed down on Mr. Cardenas's mid and lower back and JOHN DOE #2 pushed down on Mr. Cardenas's legs.²⁵

63. Mr. Cardenas, struggling to breathe, managed to lift his head and chest a few times. The officers pushed down harder in response.

64. JOHN DOE #5 then entered the room:

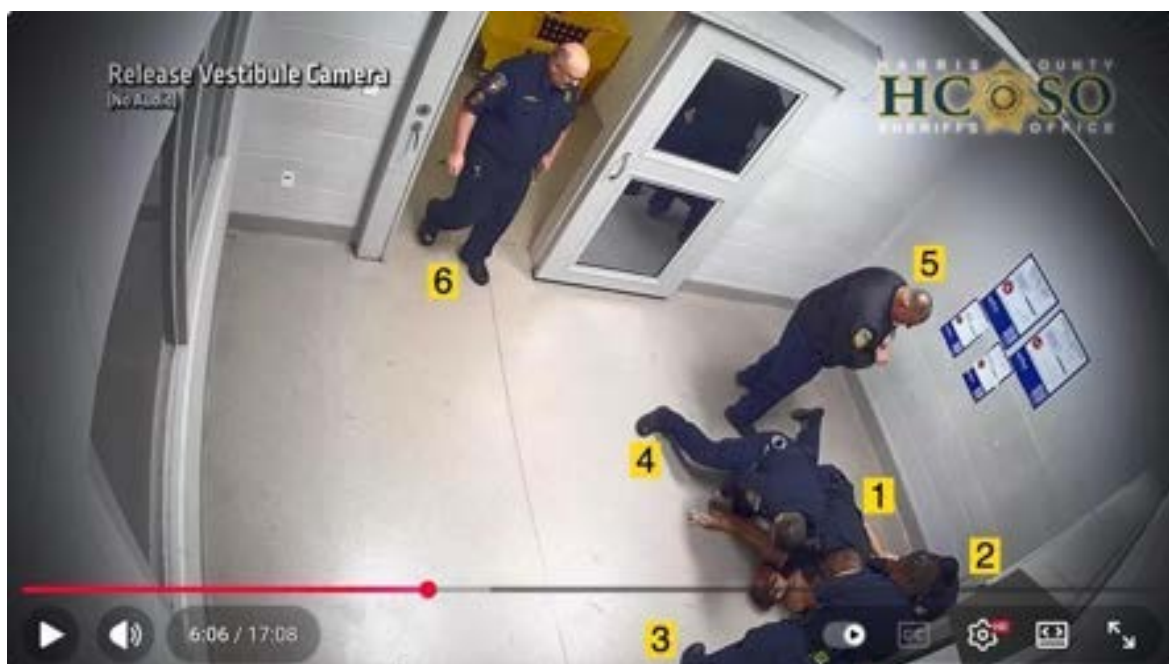
²³ [Id. at 5:19.](#)

²⁴ [Id. at 5:23.](#)

²⁵ [Id. at 5:29.](#)



65. JOHN DOE #6, a supervising sergeant, entered the room shortly after JOHN DOE #5:
#5:



66. JANE DOE #3 and JOHN DOE #5 helped pin Mr. Cardenas down while JOHN DOE #6 observed.

67. After approximately 20 seconds of observation, JOHN DOE #6 pulled JOHN DOE #1 off of Mr. Cardenas and escorted him out of the room.²⁶ JANE DOE #3 exited the room after them.

68. At this point, Mr. Cardenas had been pinned to the floor for more than one minute and thirty seconds. Other than slight movements of his arms and head, Mr. Cardenas was not moving.

69. JOHN DOE #4 continued to press down on Mr. Cardenas's back and shoulders while JOHN DOE #5 stood on Mr. Cardenas's legs and JOHN DOE #2 handcuffed Mr. Cardenas.

70. Mr. Cardenas's back was so discolored that JOHN DOEs #2 and #4 left white handprints across Mr. Cardenas's back each time they repositioned themselves.

71. JOHN DOE #7 then entered the room, closely followed by JANE DOE #3 and JOHN DOE #6:



²⁶ [Id. at 6:30.](#)

72. By HCSO’s own admission, the officers “gained control over [Mr.] Cardenas” roughly 30 seconds later—approximately 2 minutes and 10 seconds after they first pinned Mr. Cardenas face-down onto the floor—when JOHN DOE #2 finished handcuffing Mr. Cardenas.²⁷

73. Nevertheless, JOHN DOEs #2, #4, and #5 continued to push their weight into Mr. Cardenas’s back and legs, while JANE DOE #3 and JOHN DOEs #6 and #7 observed.

74. JOHN DOE #8 entered the room a few seconds after the officers had reportedly gained control of Mr. Cardenas. At the same time, JOHN DOE #2 pushed down on Mr. Cardenas’s head while JOHN DOE #4 continued pushing down on Mr. Cardenas’s upper back. JOHN DOE #7 joined JOHN DOE #5 in restraining Mr. Cardenas’s legs, and JOHN DOE #6 stood near Mr. Cardenas’s head, observing:



75. JOHN DOE #9 entered the room after JOHN DOE #8:

²⁷ [Id. at 7:39.](#)



76. JOHN DOE #4 continued to press his body weight down onto Mr. Cardenas's upper back, while JOHN DOE #2 pressed Mr. Cardenas's head into the floor.

77. After standing on Mr. Cardenas's legs for nearly two minutes, JOHN DOE #5 backed away from Mr. Cardenas. JOHN DOE #7 remained at Mr. Cardenas's legs, restraining them with his arms.

78. JOHN DOE #6 joined JOHN DOEs #2, #4, and #7 on the floor, communicating instructions to the officers as they continued to force Mr. Cardenas's limp body into the floor.

79. JOHN DOEs #10 - #17 began trickling into the room, each arriving at the scene within 30 seconds of JOHN DOEs #8 and #9:









80. JOHN DOE #6 pointed to the doorway, prompting JOHN DOEs #17, #11, #14, #5, and #12 to slowly exit the room. JOHN DOE #11 and one other officer lingered in the adjoining hallway.

81. JOHN DOE #6 pushed himself up from the floor by bracing his right hand on JOHN DOE #7's shoulder and his left hand on JOHN DOE #2's back. JOHN DOE #6 pushed his

body weight onto JOHN DOEs #7 and #2 while both officers were still pushing down into Mr. Cardenas's body.²⁸

82. On his way out of the room, JOHN DOE #6 greeted JOHN DOE #16, a fellow sergeant, with a handshake.²⁹ JANE DOE #3 followed JOHN DOE #6 out of the room.

83. JOHN DOE #16 remained in the room, observing JOHN DOEs #2, #4, and #7 as they continued to push their weight down onto Mr. Cardenas's lifeless body.

84. JOHN DOEs #8, #9, #10, #13, and #15 also remained in the room, observing. JOHN DOE #11 observed from his position in the adjacent hallway.

85. JOHN DOE #13 joined JOHN DOEs #2, #4, and #7 on the floor.³⁰ He took over JOHN DOE #2's position, pushing down onto Mr. Cardenas's upper and mid back. JOHN DOE #2 stood up and exited the room.

86. JOHN DOEs #8 and #9 exited the room a few moments later, closely followed by JOHN DOE #15.³¹

87. JANE DOE #3 reentered the room,³² and JOHN DOE #16 exited shortly thereafter.³³ At no point did JOHN DOE #16 provide any orders or guidance to his inferior officers about the need to stop restraining Mr. Cardenas. JOHN DOEs #4, #7, and #13 continued pushing down on Mr. Cardenas's limp and visibly discolored body.

88. Roughly seven minutes after Mr. Cardenas was placed in this prone restraint—and more than four minutes after Mr. Cardenas had stopped moving entirely—JOHN DOE #4

28 [Id. at 8:52.](#)

29 [Id. at 9:02.](#)

30 [Id. at 9:34.](#)

31 [Id. at 10:12.](#)

32 [Id. at 10:56.](#)

33 [Id. at 11:01.](#)

rubbed Mr. Cardenas’s back. After checking on Mr. Cardenas for the first time since he was placed in a restraint position. JOHN DOE#4 discovered that he was non-responsive.³⁴

89. JOHN DOE #4 called out to the officers in the adjoining hallway, but he and JOHN DOE #13 continued pushing down on Mr. Cardenas’s back.

90. JOHN DOEs #12 and #10 reentered the room, and JOHN DOE #12 began removing Mr. Cardenas’s leg restraints.

91. By HCSO’s own admission, “the detention officers noticed that [Mr.] Cardenas had become unresponsive” as of the 12 minute and 48 second timestamp of its incident footage—more than six minutes after Mr. Cardenas had stopped moving:



92. Despite knowing that Mr. Cardenas was unresponsive, none of the defendant officers provided emergency medical intervention. JOHN DOEs #4, #7, #10, #12, and #13 repositioned Mr. Cardenas onto his right side but did not initiate CPR or any other first aid.

³⁴ [Id. at 12:22.](#)

93. JOHN DOE #18, a supervising sergeant, entered the room, observed JOHN DOEs #4, #7, #10, #12, and #13 standing over Mr. Cardenas, and then exited without providing any orders or guidance to his inferior officers about the urgent need to initiate emergency medical interventions:



94. JOHN DOE #6 reentered the room a few moments later, followed by JOHN DOEs #2 and #14.

95. Roughly two minutes passed from the time JOHN DOE #4 rubbed Mr. Cardenas's back until the time the officers finally rolled Mr. Cardenas onto his back so that JOHN DOE #6 could begin performing CPR.³⁵

96. Mr. Cardenas was transported from the Jail on a LUCAS device to St. Joseph Medical Center, where he was pronounced dead.³⁶

³⁵ [Id. at 14:21.](#)

³⁶ City of Houston Emergency Medical Services, attached hereto as Exhibit B, at 1.

97. Mr. Cardenas’s death was ruled a homicide by the Harris County Institute of Forensic Sciences.³⁷

III. Harris County’s Policy, Practice, and/or Custom Sanctioning the Use of Excessive Force Against Jail Detainees.

98. DOE Defendants’ unwarranted use of lethal force against Mr. Cardenas did not occur in isolation. Instead, their assault is exemplary of the County’s longstanding policy, practice, and/or custom whereby jail detention officers routinely and immediately resort to serious physical force—including takedowns, closed-fist strikes, and prolonged prone restraints—against unarmed, non-violent, and non-threatening individuals.

A. Harris County Maintains a Policy, Practice, and/or Custom of Using Lethal Force Against Subdued Jail Detainees Who Are Not Actively Resisting and Do Not Pose a Risk to Detention Officers.

99. Since at least 2008, the County has maintained a widespread policy, practice, and/or custom of using unnecessary force against detainees in the Jail. This culture of officer-on-detainee violence is so pervasive and notorious that it prompted two separate federal investigations of the Jail’s use-of-force policies and practices—one launched in 2008 by the U.S. Department of Justice (“DOJ”)³⁸ and a second initiated in 2023 by the Federal Bureau of Investigation (“FBI”).³⁹

³⁷ Harris County Institute of Forensic Sciences, Case No. ML25-2681.

³⁸ U.S. Dep’t of Just., Civil Rights Division, *Re: Investigation of the Harris County Jail* (June 4, 2009), available at: https://www.justice.gov/sites/default/files/crt/legacy/2010/12/15/harris_county_jail_findlet_060409.pdf [hereinafter “DOJ Report”].

³⁹ Alex Nguyen, *FBI announces investigations into deaths at Harris County Jail*, The Texas Tribune (Feb. 13, 2023), <https://www.texastribune.org/2023/02/13/fbi-investigations-harris-county-jail-deaths/>.

100. Repeated instances of excessive force in the Jail in recent years have prompted the filing of dozens of private lawsuits that are either ongoing or have resolved in payments to the plaintiffs.⁴⁰

101. Investigative journalism has further revealed the extent of ongoing excessive force incidents at the Jail. A 2024 documentary called *Struck* revealed 810 instances of detention officers punching detainees in the head—without justification—between 2020 and 2024.⁴¹ In at least 26 of these incidents, the detainees were already restrained in handcuffs when officers punched them in the head.⁴²

102. The high number of excessive force incidents at the Jail cannot be explained away by the County's size. Between 2022 and 2025, the Jail has consistently had more use-of-force incidents resulting in bodily injury than all other Texas county jails *combined*.⁴³ In fact, although the Jail only houses roughly 12% of the state's total jail population, it accounted for 51% of all use-of-force incidents in Texas jails in 2022, and 53% in 2023.⁴⁴

103. The situation has worsened over the course of Sheriff Gonzalez's tenure, growing from 628 use-of-force incidents between 2018 and 2020 to 653 incidents in 2022 alone.⁴⁵ The number grew to 739 incidents in 2023.⁴⁶

⁴⁰ See ¶¶ 106 - 130, *infra*.

⁴¹ Tina Macias, 'STRUCK' Hundreds of inmates punched in head in Harris County jail, KHOU 11, Dec. 6, 2024, <https://www.khou.com/article/news/investigations/struck-inside-harris-county-jail-inmate-head-punch-houston-texas-sheriff-ed-gonzalez-detention-officer/285-40eea725-3ab7-49dc-8b18-0d0840e267c5>.

⁴² Jeremy Rogalski, *KHOU11 Investigates: Force Used Against Inmates in Handcuffs at Harris Co. Jail*, KHOU, Dec. 16, 2024, <https://www.khou.com/article/news/investigations/force-handcuffs-harris-county-jail/285-809603ce-b00a-45b9-9060-5249f2ec48bc>.

⁴³ See Texas Commission on Jail Standards Serious Incident Reports for 2022, 2023, 2024, and 2025.

⁴⁴ See Texas Commission on Jail Standards Serious Incident Reports for 2022 and 2023.

⁴⁵ Compare Texas Commission on Jail Standards Serious Incident Reports for 2018, 2019, and 2020 with Texas Commission on Jail Standards Serious Incident Reports for 2022.

104. In the month Mr. Cardenas was killed, July 2025, the Jail reported 58 use-of-force incidents resulting in bodily injury. By stark contrast, the other 244 jails across Texas—*combined*—reported just 32 such incidents during that same period.⁴⁷

105. A striking number of these ongoing excessive force incidents closely resemble the circumstances of Mr. Cardenas’s lethal assault. These incidents reveal a pervasive pattern whereby jail detention officers shove, punch, and/or use dangerous restraint tactics on a person who poses no threat, and continue applying force long after the person is fully subdued.

i. Harris County Detention Officers Routinely Use Dangerous Restraint Holds Against Non-Threatening and/or Subdued Individuals.

106. In February 2015, Kenneth Lucas died after a group of Harris County detention officers hogtied and held him in a prone restraint for over ten minutes—long after Mr. Lucas stopped moving.⁴⁸ Like Mr. Cardenas, Mr. Lucas was unarmed and posed no threat at the time he was fatally assaulted. The County settled the case for \$2.5 million after failing to dismiss the case at summary judgment.⁴⁹

⁴⁶ See Texas Commission on Jail Standards Serious Incident Reports for 2023.

⁴⁷ Texas Commission on Jail Standards, *July 2025 Serious Incident Report*.

⁴⁸ *Salcido, et al. v. Harris County, et al.*, 4:15-cv-02155, Doc. No. 1. at ¶¶ 33-39. See also Fox 26 Houston, *Harris County jailers used hogtie in deadly confrontation despite DOJ recommendations* (July 29, 2015), <https://www.fox26houston.com/news/harris-county-jailers-used-hogtie-in-deadly-confrontation-despite-doj-recommendations>.

⁴⁹ Settlement Agreement, *Salcido, et al. v. Harris County, et al.*, <https://www.documentcloud.org/documents/23834668-salcido-settlement/?responsive=1&title=1>. See also Matt Clarke, *\$2.5 Million Settlement Over Prisoner’s Restraint Death in Houston, Texas Jail*, Prison Legal News (March 3, 2020), <https://www.prisonlegalnews.org/news/2020/mar/3/25-million-settlement-over-prisoners-restraint-death-houston-texas-jail/>.

107. In 2015, two Harris County detention officers choked Christopher Johnson while he was handcuffed because he smiled during his mugshot. Like Mr. Cardenas, Mr. Johnson was unarmed and posed no threat at the time that he was choked.⁵⁰ The County settled the case.⁵¹

108. In October 2015, a Harris County detention officer struck a handcuffed Michael Alaniz in his upper back and forcefully pushed him to the floor.⁵² Because Mr. Alaniz was handcuffed, he could not break his fall and he slammed face-first into the floor. A second Harris County detention officer joined the assault on Mr. Alaniz by grinding his face into the floor, placing a knee in his back, and kicking him—all while he was subdued on the floor.⁵³ Like Mr. Cardenas, Mr. Alaniz was unarmed and posed no threat at the time he was assaulted. Harris County jail settled the case for \$60,000.⁵⁴

109. A year later, in 2016, a group of Harris County detention officers threw Jerome Bartee on the floor, laid on top of him, and beat him for several minutes until he nearly lost consciousness.⁵⁵ At one point, ten officers were participating in the beating.⁵⁶ Like Mr. Cardenas, Mr. Bartee was unarmed and posed no threat at the time he was assaulted. The County settled the case for \$600,000 after failing to dismiss the case at summary judgment.⁵⁷

110. Also in 2016, Joseph Bailey was choked and lifted off the floor by one Harris County detention officer while handcuffed and beaten by another officer once he was in his

⁵⁰ *Johnson v. Harris County, et. al.*, 4:16-cv-01623, Doc. No. 1 at ¶¶ 13-14.

⁵¹ *Id.* Doc. No. 80.

⁵² *Alaniz v. Two Unknown Harris County Sheriff's Office Deputies*, 4:16-cv-01495, Doc. No. 1 at ¶ 31.

⁵³ *Id.* at ¶ 35.

⁵⁴ Settlement Agreement, *Alaniz v. Two Unknown Harris County Sheriff's Office Deputies*, <https://www.documentcloud.org/documents/23834578-alaniz-settlement/?responsive=1&title=1>.

⁵⁵ *Bartee v. Harris County*, 4:16-cv-029411, Doc. No. 54 at ¶ 27.

⁵⁶ *Id.*

⁵⁷ Alex Stuckey, *Parents of man who died in Harris County jail sue officials. They're not the first*, Houston Landing, May 9, 2023, <https://www.houstonlanding.org/parents-of-man-who-died-in-harris-county-jail-sues-officials/>.

cell.⁵⁸ Like Mr. Cardenas, Mr. Bailey was unarmed and posed no threat at the time he was assaulted. The case was jointly dismissed by Mr. Bailey and the County.⁵⁹

111. In January 2023, multiple Harris County detention officers beat Jacoby Pillow while he, like Mr. Cardenas, was in the process of bonding out of the Jail on a misdemeanor charge.⁶⁰ The officers brought Mr. Pillow to the floor and continued to beat him while they placed their weight on Mr. Pillow's chest and back.⁶¹ Mr. Pillow died of compression and blunt force trauma two days later.⁶² Like Mr. Cardenas, Mr. Pillow was unarmed and posed no threat at the time he was fatally assaulted.

112. In January 2024, a Harris County detention officer grabbed D'Alessandro Chavez-Sandoval, who was not posing any threat, and repeatedly punched him in the face and head.⁶³ Several officers joined in by tackling Mr. Chavez-Sandoval to the floor, punching him repeatedly while pinning him face-down on the floor, and placing him in a hogtie position.⁶⁴ Like Mr. Cardenas, Mr. Chavez-Sandoval was unarmed and posed no threat at the time he was assaulted.

- ii. ***Harris County Detention Officers Routinely Use Closed-Fist Strikes, Violent Take-Down Maneuvers, and Other Potentially Lethal Forms of Force Against Individuals Who Are Restrained, Subdued, Not Resisting, or Otherwise Pose No Threat.***

113. In 2015, Harris County detention officer Deputy Richard assaulted Vincent Henderson because he followed a second officer's orders to retrieve his clean clothing from a

⁵⁸ *Joseph D. Bailey v. Harris County, et. al.*, 4:18-cv-01226, Doc. No. 1 at ¶¶ 19, 38.

⁵⁹ *Id.* at Doc. Nos. 23 and 24.

⁶⁰ *Wagner et. al. v. Harris County*, 4:23-cv-02886, Doc. No. 1 at ¶¶ 46-48.

⁶¹ *Id.* at ¶ 48.

⁶² *Id.* at ¶¶ 52-53.

⁶³ *Chavez-Sandoval v. Harris County, Texas*, 4:2024-cv-03072, Doc No. 112-1 at ¶¶ 26-27.

⁶⁴ *Id.* at ¶ 28.

laundry cart.⁶⁵ Several detention officers stood by while Deputy Richard choked Mr. Henderson, punched him in the face, and performed a violent take-down maneuver that caused Mr. Henderson to strike his head on the floor, knocking him unconscious.⁶⁶ Deputy Richard continued striking Mr. Henderson in the face even after he was rendered unconscious.⁶⁷ Like Mr. Cardenas, Mr. Henderson was unarmed and posed no threat at the time he was assaulted. The County settled the case for \$35,000.⁶⁸

114. In 2017, Harris County detention officer Deputy Hartley punched Edward Taylor, a disabled man, in the head 15 times even though Mr. Taylor had been subdued and became unconscious during the assault.⁶⁹ Like Mr. Cardenas, Mr. Taylor was unarmed and posed no threat at the time he was assaulted. The County settled the case for \$170,000.⁷⁰

115. In 2018, a Harris County detention officer pushed Arthur Johnson down a flight of stairs, breaking his hand.⁷¹ Like Mr. Cardenas, Mr. Johnson was unarmed and posed no threat at the time he was assaulted. The County settled the case for \$20,000.⁷²

116. Also in 2018, Ashley LeFave was repeatedly punched in the face by Harris County detention officer Deputy Legg while she was handcuffed and presented no threat to

⁶⁵ *Vincent Henderson v. Harris County et. al.*, 4:18-cv-413, Doc. No. 59 at ¶¶ 24-30.

⁶⁶ *Id.* at ¶¶ 15, 30-32.

⁶⁷ *Id.* at ¶ 15.

⁶⁸ Settlement Agreement, *Vincent Henderson v. Harris County et. al.*, <https://www.documentcloud.org/documents/23834602-henderson-settlement/?responsive=1&title=1>.

⁶⁹ *Taylor v. Hartley*, 4:18-cv-04811, Doc. No. 17 (Amended Complaint) at ¶¶ 3, 4, 28-40.

⁷⁰ Settlement Agreement, *Taylor v. Hartley*, <https://www.documentcloud.org/documents/23834672-taylor-settlement/?responsive=1&title=1>.

⁷¹ *Johnson v. Allen, et al.*, 4:18-cv-01218, Doc. No. 1 at p. 4.

⁷² Settlement Agreement, *Johnson v. Allen, et al.*, <https://www.documentcloud.org/documents/23834607-johnson-settlement/?responsive=1&title=1>. *Johnson v. Allen*, 4:18-cv-1298 <https://www.documentcloud.org/documents/23834607-johnson-settlement/?responsive=1&title=1>.

anyone else.⁷³ Like Mr. Cardenas, Ms. LeFave was unarmed and posed no threat at the time she was assaulted. The County settled the case for \$25,000.⁷⁴

117. In 2019, Harris County detention officer Deputy Ramos struck Kareem Jefferson and slammed him on the floor while he was in line to be released from the Jail. Like Mr. Cardenas, Mr. Jefferson was unarmed and posed no threat at the time he was assaulted.⁷⁵ Upon information and belief, Deputy Ramos was not disciplined for this excessive use of force.⁷⁶

118. In 2022, a Harris County detention officer grabbed Taylor Euell and slammed his face against the wall.⁷⁷ The officer also twisted Mr. Euell's arm so violently that his hand broke.⁷⁸ Like Mr. Cardenas, Mr. Euell was unarmed and posed no threat at the time he was assaulted.

119. In 2022, a Harris County detention officer slammed Bernard Lockhart's face against a wall before dragging him to a holding cell, even though he was not threatening the officer or anyone else.⁷⁹ Once in the holding cell, Mr. Lockhart was punched in the head and face by several officers, including supervisors.⁸⁰ Like Mr. Cardenas, Mr. Lockhart was unarmed and posed no threat at the time he was assaulted.

120. In April 2022, Ryan Twedt was slammed to the floor by multiple Harris County detention officers, including supervising sergeants, while he was sitting on a bench and not

⁷³ *LeFave v. Harris County, et. al.*, 4:20-cv-359, Doc. No. 1 at ¶¶ 8-9, 20, 41.

⁷⁴ Settlement Agreement, *LeFave v. Harris County, et al.*, <https://www.documentcloud.org/documents/23834608-lefave-settlement/?responsive=1&title=1#document/p1>.

⁷⁵ *Chavez-Sandoval v. Harris County, Texas*, Doc. No. 112-1 at ¶¶ 523-25.

⁷⁶ *Id.* at ¶ 526.

⁷⁷ *Id.* at ¶¶ 385-88.

⁷⁸ *Id.* at ¶ 388.

⁷⁹ *Id.* at ¶¶ 494-95.

⁸⁰ *Id.* at ¶¶ 495-96.

posing any threat.⁸¹ Although the officers restrained Mr. Twedt's arms and legs, they continued to beat him while he was on the floor by kneeling him, kicking him, and punching him in the head and face.⁸² Mr. Twedt suffered a broken finger, bruised ribs, and ongoing short-term memory loss as a result of this assault.⁸³ Like Mr. Cardenas, Mr. Twedt was unarmed and posed no threat at the time he was assaulted.

121. In November 2022, Adael Gonzalez Garcia was severely beaten by multiple Harris County detention officers who slammed him to the floor and repeatedly punched him in the head until he lost consciousness and ultimately fell into a coma.⁸⁴ Mr. Garcia was experiencing a mental and physical health crisis, and was being escorted from the jail clinic, when the officers assaulted him.⁸⁵ Like Mr. Cardenas, Mr. Garcia was unarmed and posed no threat at the time he was assaulted.

122. In January 2023, Jeremiah Anglin, a man with known mental illness, was being escorted by several Harris County detention officers—including a supervising officer—when he began experiencing a mental health episode.⁸⁶ The officers immediately responded with serious force, delivering three elbow strikes to Mr. Anglin's upper back and seven closed-fist strikes to his face before tackling him to the floor, where they continued to punch Mr. Anglin's face and ribs.⁸⁷ Like Mr. Cardenas, Mr. Anglin was unarmed and posed no threat at the time he was assaulted.

⁸¹ *Id.* at ¶ 380.

⁸² *Id.*

⁸³ *Id.* at ¶¶ 381-82.

⁸⁴ *Id.* at ¶¶ 459-62.

⁸⁵ *Id.* at ¶ 459.

⁸⁶ *Id.* at ¶¶ 347-48.

⁸⁷ *Id.* at ¶ 348.

123. In February 2023, John Coote was beaten by a group of almost 12 Harris County detention officers, including supervising sergeants, without any provocation.⁸⁸ After slamming Mr. Coote against a metal door, pinning him against a wall, and taking him to the floor, some of the officers punched Mr. Coote in the face and head while other officers laid on top of him.⁸⁹ At the same time, a supervising sergeant pepper sprayed Mr. Coote in the face.⁹⁰ Like Mr. Cardenas, Mr. Coote was unarmed and posed no threat at the time he was assaulted.

124. In April 2023, six Harris County detention officers punched, stomped on, and kicked Kenneth Richard while he was handcuffed and shackled in a holding cell, causing Mr. Richard to lose consciousness.⁹¹ Like Mr. Cardenas, Mr. Richard was unarmed and posed no threat at the time he was assaulted.

125. Also in April 2023, a group of Harris County detention officers slammed Jeremy Garrison against a wall, tackled him to the floor, and beat him, even though he did not pose any threat or violate any jail rules.⁹² Like Mr. Cardenas, Mr. Garrison was unarmed and posed no threat at the time he was assaulted.

126. One month later, in May 2023, Mr. Garrison was once again assaulted by several Harris County detention officers, after asking to speak to a sergeant about his television privileges.⁹³ The officers pepper sprayed Mr. Garrison and then tackled him, slamming his head against the wall and floor.⁹⁴ They continued to hit Mr. Garrison while he lay on the floor,

⁸⁸ *Id.* at ¶ 364-65.

⁸⁹ *Id.* at ¶ 364.

⁹⁰ *Id.*

⁹¹ *Id.* at ¶¶ 338-43.

⁹² *Id.* at ¶ 314.

⁹³ *Id.* at ¶¶ 315-18.

⁹⁴ *Id.* at ¶¶ 318-19.

handcuffed.⁹⁵ One of the officers then slammed Mr. Garrison head-first into a metal door, breaking Mr. Garrison's neck.⁹⁶ Like Mr. Cardenas, Mr. Garrison was unarmed and posed no threat at the time he was assaulted.

127. Also in May 2023, several Harris County detention officers dragged Robert Andrew Terry into a holding cell with no cameras, handcuffed him, and beat him until he lost consciousness, leaving his blood on the walls.⁹⁷ The officers then dragged Mr. Terry, unconscious, back to his cell.⁹⁸ Mr. Terry died a couple of days later from the internal bleeding, fractured skull, and blunt force trauma he suffered as a result of this beating.⁹⁹ Like Mr. Cardenas, Mr. Terry was unarmed and posed no threat at the time he was fatally assaulted.

128. In July 2023, a mob of Harris County detention officers struck Anasia Smith in the head forty-five times, with nine officers participating in the assault at one point.¹⁰⁰ The officers continued to punch Ms. Smith after she was subdued on the floor and struck her in the head thirteen times while she was in a fetal position outnumbered by officers.¹⁰¹ Like Mr. Cardenas, Ms. Smith was unarmed and posed no threat at the time she was assaulted.

129. In August 2023, a group of Harris County detention officers restrained Bryan Johnson on the floor and beat him for several minutes, causing severe injuries to his heart and lungs.¹⁰² Mr. Johnson died of his injuries a few months after the incident.¹⁰³ Like Mr. Cardenas, Mr. Johnson was unarmed and posed no threat at the time he was fatally assaulted.

⁹⁵ *Id.* at ¶ 319.

⁹⁶ *Id.* at ¶ 320.

⁹⁷ *Robert Terry, Jr., et. al. v. Harris County*, 4:24-cv-3068, Dkt. No. 13 at ¶¶ 21-22.

⁹⁸ *Id.* at ¶ 22.

⁹⁹ *Id.* at ¶¶ 23-30.

¹⁰⁰ *Smith v. Harris County et. al.*, 4:25-cv-2677, Doc. No. 1 at ¶ 2.

¹⁰¹ *Id.* at ¶¶ 32, 35, 38.

¹⁰² *Chavez-Sandoval v. Harris County, Texas*, Doc. No. 112-1 at ¶ 303.

¹⁰³ *Id.* at ¶¶ 306-09.

130. In March 2024, multiple Harris County detention officers punched and slammed Daevion Young into the wall several times.¹⁰⁴ The officers carried out this assault despite the fact that Mr. Young was restrained in handcuffs and posed no threat to the officers' safety.¹⁰⁵ Like Mr. Cardenas, Mr. Young was unarmed and posed no threat at the time he was assaulted.

B. Harris County Fails to Train, Supervise, and Discipline its Detention Officers Regarding the Lawful Use of Force.

131. At the close of its 2008 investigation of the Jail, the DOJ concluded that it had “serious concerns about the use of force at the Jail.”¹⁰⁶ In particular, the DOJ found that officers in the Jail were using chokeholds, prone restraints, and other similar “improper force technique[s] . . . with troubling frequency”—and without correction by supervisors.¹⁰⁷

132. The DOJ attributed these numerous instances of excessive force to “systemic deficiencies,” including the absence of “clear guidance [for detention officers] on prohibited use of force practices” and HCSO’s failure to investigate use-of-force incidents or take disciplinary action where warranted.¹⁰⁸

133. The DOJ made clear, as early as 2009, that the County needed to make significant changes to its policies, trainings, and supervisory and disciplinary practices before the DOJ “c[ould] conclude the Jail meets minimum constitutional standards” with respect to the use of force.¹⁰⁹ But the County failed to take action, instead allowing its detention officers to continue using excessive force—including lethal force—with impunity.

¹⁰⁴ *Id.* at ¶ 283.

¹⁰⁵ *Id.*

¹⁰⁶ DOJ Report at 15.

¹⁰⁷ *Id.* at 15-16 (describing several incidents during which officers used excessive force, including one instance where an officer forced a detainee onto the ground and proceeded to apply pressure to the detainee’s neck and back while the detainee lay prone on the ground).

¹⁰⁸ *Id.* at 15.

¹⁰⁹ *Id.* at 16.

134. In 2016, Sheriff Gonzalez personally acknowledged the County's failure to implement the necessary changes to use-of-force training, supervision, and discipline of jail detention officers. While participating in a televised debate with then-HCSO Sheriff Ron Hickman, Gonzalez stated: "[W]e also need to improve training as well—make sure that we are creating opportunities to learn better de-escalation techniques, so things don't get out of control. But it starts with leadership. We've got to end this culture that quickly leads to physical altercation."¹¹⁰

135. Since Sheriff Gonzalez assumed office in 2017, however, the pervasive culture of officer-on-detainee violence at the Jail has not only persisted but worsened.

136. Upon information and belief, the increasing number of use-of-force incidents in the Jail in recent years is the result of the County's continuing failure to train, supervise, and/or discipline its detention officers in several key areas relating to the use of force, including:

- a. de-escalation techniques;
- b. distinguishing between passive and active resistance;
- c. the use of prone-restraint techniques and compression restraints;
- d. the use of closed-fist strikes to the head;
- e. the use of take-down maneuvers; and
- f. the duty to intervene to prevent a fellow officer's use of excessive force.

¹¹⁰ Ron Hickman, *Ed Gonzalez face off in ABC13/Univision debate*, ABC13 Eyewitness News (Oct. 18, 2016), available at: https://abc13.com/post/ron-hickman-ed-gonzalez-face-off-in-debate-/1552812/?userab=abcn_du_cat_topic_feature_holdout-474*variant_b_redesign-1939%2Cabcn_popular_reads_exp-497*variant_b_7days_filter-2077%2Cabcn_ad_cadence-481*control-a-1962%2Cabcn_news_for_you_exp-496*variant_a_control-2074.

137. The circumstances surrounding numerous prior use-of-force incidents in the Jail demonstrate a systemic failure to train, supervise, and discipline officers on these critical use-of-force topics. For example:

- a. In February 2015, multiple Harris County detention officers responded to Kenneth Lucas's cell, forced him to the floor, handcuffed him, dragged him across the floor by his head, and then sat on his back and legs.¹¹¹ Ignoring Mr. Lucas's cries that he could not breathe, the officers continued sitting on his back and legs long after he stopped moving, killing him.¹¹² HCSO determined that the officers acted in accordance with their training and with HCSO policy.¹¹³ Upon information and belief, none of the involved officers were disciplined.
- b. In 2015, Harris County detention officer Deputy Richard assaulted Vincent Henderson without provocation, choking him, punching him in the face, and throwing him to the ground with such force that he lost consciousness.¹¹⁴ Deputy Richard continued striking Mr. Henderson in the head even after he was rendered unconscious.¹¹⁵ Several other officers stood by and watched as Deputy Richard assaulted Mr. Henderson, without making any attempt to intervene.¹¹⁶ Neither Deputy Richard nor the bystander officers were disciplined.¹¹⁷ Upon information and belief, HCSO determined that the officers acted in accordance with their training and with HCSO policy.

¹¹¹ *Chavez-Sandoval v. Harris County, Texas*, Doc. No. 112-1 at ¶ 533.

¹¹² *Id.* at ¶¶ 534, 536.

¹¹³ *Id.*

¹¹⁴ *Henderson v. Harris County et al.*, Doc. No. 59 at ¶¶ 15, 24-30.

¹¹⁵ *Id.* at ¶ 15.

¹¹⁶ *Id.* at ¶¶ 53, 67.

¹¹⁷ *Id.* at ¶ 74.

- c. In 2017, Harris County detention officer Deputy Hartley punched Edward Taylor in the head with such force that he lost consciousness.¹¹⁸ Deputy Hartley struck Mr. Taylor in the head an additional thirteen times *after* Mr. Taylor lost consciousness.¹¹⁹ Upon information and belief, Deputy Hartley was never disciplined for this excessive use of force.¹²⁰ Upon information and belief, HCSO determined that Deputy Hartley acted in accordance with his training and with HCSO policy.
- d. In 2019, Harris County detention officer Deputy Ramos struck Kareem Jefferson and slammed him on the ground without provocation while Mr. Jefferson was waiting in line to be released from custody.¹²¹ Upon information and belief, Deputy Ramos was not disciplined for this excessive use of force.¹²² Upon information and belief, HCSO determined that Deputy Ramos acted in accordance with his training and with HCSO policy.
- e. In November 2022, multiple Harris County officers slammed Adael Gonzalez Garcia to the floor while he was experiencing a mental health and medical emergency. The officers repeatedly punched Mr. Garcia in the head until he lost consciousness and ultimately fell into a coma.¹²³ Upon information and belief, HCSO determined that the officers acted in accordance with their training and with HCSO policy. Upon information and belief, none of the involved officers

¹¹⁸ *Taylor v. Hartley*, 4:18-cv-04811, Doc. No. 17 at ¶¶ 3, 4, 28-40.

¹¹⁹ *Id.* at ¶ 4.

¹²⁰ *Id.* at ¶ 64.

¹²¹ *Chavez-Sandoval v. Harris County, Texas*, Doc. No. 112-1 at ¶¶ 523-25.

¹²² *Id.* at ¶ 526.

¹²³ *Id.* at ¶¶ 459-62.

were disciplined by HCSO for this excessive use of force, even though three of the officers were indicted on assault charges in May 2024.¹²⁴

- f. In January 2023, multiple Harris County detention officers, including supervising sergeants, rushed at Jacoby Pillow and punched and kneed him in the head and face.¹²⁵ The officers then hogtied Mr. Pillow, placing their weight on his chest and back.¹²⁶ Mr. Pillow was later found unresponsive in his cell. Upon information and belief, none of the involved officers were disciplined for this excessive use of force.¹²⁷ Upon information and belief, the involved officers who were later deposed in related civil litigation all testified that they acted in accordance with their training and with HCSO policy.¹²⁸
- g. Also in January 2023, multiple Harris County detention officers, including a supervising sergeant, tackled Jeremiah Anglin and repeatedly punched him in the face, back, and ribs while he was experiencing a mental health crisis.¹²⁹ Upon information and belief, none of the involved officers were disciplined.¹³⁰ Upon information and belief, HCSO determined that the officers acted in accordance with their training and with HCSO policy.
- h. In March 2024, multiple Harris County detention officers punched and slammed Daevion Young into the wall several times, even though Mr. Young was

¹²⁴ *Id.* at ¶¶ 460, 464.

¹²⁵ *Id.* at ¶ 294.

¹²⁶ *Id.*

¹²⁷ *Id.*

¹²⁸ *Id.*

¹²⁹ *Id.* at ¶ 348.

¹³⁰ *Id.*

restrained in handcuffs and posed no threat.¹³¹ Upon information and belief, none of the involved officers were disciplined.¹³² Upon information and belief, HCSO determined that the officers acted in accordance with their training and with HCSO policy.

138. KHOU11’s 2024 documentary, *Struck*, further demonstrates HCSO’s failure to train, supervise, and discipline its detention officers on the lawful limits of force. KHOU11 discovered 810 incidents between 2020 and 2024 where Harris County officers punched detainees in the head—a form of lethal force—in situations where detainees posed no safety threat. After the documentary was released, Sheriff Gonzalez admitted that these uses of force were not warranted,¹³³ and that officers were unacceptably resorting to closed-fist strikes to the head as “an impulsive reaction or . . . first reaction.”¹³⁴ But HCSO only disciplined 10 officers out of these 810 incidents—an astoundingly low disciplinary rate of 1.2 percent over a four year period.¹³⁵ And although HCSO allegedly updated its written policy on closed-fist strikes following *Struck*’s release, it did not, upon information and belief, update its training accordingly, despite Sheriff Gonzalez’s admission that “[t]raining and policy need to be in sync. If we have a policy in place, but we’re not teaching to that policy, it’s not going to be

¹³¹ *Id.* at ¶ 283.

¹³² *Id.* at ¶ 285.

¹³³ *Sheriff wants to improve Harris County Jail training after KHOU investigation*, KHOU 11 (Dec. 6, 2024), at 00:59 – 01:26, <https://youtu.be/mldGpcfVtM4?si=qWnaPCzkjbm3RKvH&t=59>.

¹³⁴ Jeremy Rogalski and Tina Macías, *Harris County sheriff changes punching policy at jail after KHOU 11 Investigation*, KHOU 11 (Jan. 9, 2025), <https://www.khou.com/article/news/investigations/harris-county-jail-punching-policy/285-455486bd-890e-4e01-84c9-40c0c39d1f0b>.

¹³⁵ *After 810 cases of questionable head strikes over 4 years in Harris County Jail, 10 officers faced discipline*, KHOU 11 (Dec. 5, 2024), <https://www.khou.com/video/news/investigations/after-810-cases-of-questionable-head-strikes-over-4-years-in-harris-county-jail-10-officers-faced-discipline/285-334a8eca-4b89-4ad5-8fd2-182d57cd6689>.

effective.”¹³⁶ These failures of training, supervision, and discipline led DOE Defendants to strike Mr. Cardenas repeatedly in the head, face, and throat even though he did not pose any threat.

139. In keeping with the County’s failure to adequately supervise its detention officers on the use of force, at least one supervising sergeant—Defendant JOHN DOE #6—actively participated in Mr. Cardenas’s lethal restraint, and at least two other supervising sergeants—Defendants JOHN DOE #16 and JOHN DOE #18—stood by and watched as multiple officers asphyxiated Mr. Cardenas by pushing down onto his neck, back, and legs.

140. In keeping with the County’s failure to adequately discipline its officers for their use of excessive force, upon information and belief, none of the DOE Defendants have been disciplined by Harris County in connection to Mr. Cardenas’s death. In fact, HCSO did not even appear to investigate all the DOE Defendants for their involvement in Mr. Cardenas’s death. Sheriff Gonzalez told the press that he temporarily reassigned only six detention officers and one supervising sergeant to duties without detainee contact pending HCSO’s initial investigation of this incident, but there were least fifteen detention officers and three supervising sergeants involved.¹³⁷

IV. Harris County’s Policy, Practice, and/or Custom of Inadequate Emergency Medical Care

141. DOE Defendants were acting pursuant to Harris County policy, practice, and/or custom when they refused to provide immediate emergency medical care to Mr. Cardenas after he became unresponsive.

¹³⁶ Jeremy Rogalski and Tina Macías, *supra* n.134.

¹³⁷ *Harris County Sheriff’s Office Releases Video of July 8, 2025 Critical Incident*, *supra* n.7 at 4:29.

A. Harris County Maintains a Policy, Practice, and/or Custom of Failing to Provide Adequate Medical Treatment, Including Emergency Medical Treatment, to Individuals in its Custody.

142. At the close of its 2008 investigation of the Jail, the DOJ noted an “alarming” number of “inmate deaths related to inadequate medical care.”¹³⁸ The DOJ identified staff failure to respond appropriately to detainees’ medical emergencies as one of the many problems with the Jail’s provision of medical care.¹³⁹

143. These glaring problems have persisted in the years since the DOJ published its findings. The Texas Commission on Jail Standards (“TCJS”) has repeatedly found the Harris County Jail to be non-compliant with the minimum state standards for inmate medical care. For example:

- a. On March 11, 2016, TCJS issued a notice of non-compliance for the Jail’s failure to timely provide medical services, noting that jail staff ignored one detainee’s five separate requests for medical care.¹⁴⁰ TCJS also issued a notice of non-compliance for the Jail’s failure to “[p]rovide procedures for efficient and prompt care for acute and emergency situations.”¹⁴¹
- b. On December 9, 2020, TCJS noted numerous deficiencies in the Jail’s provision of medical care, including improper documentation of detainees’ medical needs.¹⁴²

¹³⁸ DOJ Report at 2.

¹³⁹ DOJ Report at 7.

¹⁴⁰ Texas Commission on Jail Standards, *Special Jail Inspection Report* (Mar. 11, 2016), attached hereto as Exhibit C (“Exhibit C”), at 2.

¹⁴¹ *Id.* at 3.

¹⁴² Texas Commission on Jail Standards, *Annual Jail Report* (Dec. 9, 2020), attached hereto as Exhibit D (“Exhibit D”), at 4-5.

- c. TCJS conducted a Special Inspection on December 19, 2022, in response to the death of a detainee in jail custody, which revealed that the detainee died because jail staff failed to administer his necessary medications.¹⁴³ Following this inspection, TCJS issued another notice of the Jail's non-compliance with minimum state standards for the provision of medical care.¹⁴⁴
- d. At the Jail's request, TCJS conducted a reinspection in February 2023, which only revealed the Jail's continued non-compliance with minimum state standards.¹⁴⁵ TCJS issued its notice of non-compliance to the Jail on March 8, 2023, requiring the Jail to take "immediate corrective measures" to address its continued failure to provide timely medical care to detainees.¹⁴⁶
- e. On May 6, 2025, TCJS issued a notice of non-compliance for the Jail's failure to provide proper medical care, finding a medical request about chest pains was ignored.¹⁴⁷

144. Numerous private lawsuits have also exposed the Jail's ongoing failures to provide adequate emergency medical care for the individuals in its custody. These incidents reveal that Harris County detention officers routinely deny individuals necessary medical treatment after using excessive force against them. For example:

- a. In May 2010, Herman Young died after a Harris County officer threw him to the floor and punched him in the stomach and then delayed emergency medical care.

¹⁴³ Texas Commission on Jail Standards, *Agreed Second Amended Remedial Order for Implementing a Comprehensive Compliance Plan at Harris County Jail* (Aug. 7, 2025), attached hereto as Exhibit E ("Exhibit E"), at 2-3.

¹⁴⁴ *Id.* at 3.

¹⁴⁵ *Id.*

¹⁴⁶ *Id.* See also *id.* at 35-42; *id.* at 42-45.

¹⁴⁷ Texas Commission on Jail Standards, *Notice of Non-Compliance: Harris County Jail* (May 6, 2025), attached hereto as Exhibit F ("Exhibit F"), at 1-2.

Mr. Young was already very ill and had been transported to the jail clinic before the assault. Despite other officers witnessing the assault at around 2:25 AM, Mr. Young did not arrive at the hospital until 5:48 AM—over three hours later. Upon information and belief, none of the involved officers were disciplined for denying Mr. Young necessary emergency care.¹⁴⁸

- b. In February 2015, Kenneth Lucas died after Harris County officers assaulted him and then denied him emergency medical care.¹⁴⁹ After knocking him to the ground, handcuffing him, and dragging him from his cell, officers sat on his back and legs while he was facedown and restrained. As with Mr. Cardenas, the officers ignored Mr. Lucas’s cries that he could not breathe, and they continued to press down on Mr. Lucas’s back long after he stopped moving.¹⁵⁰ None of the officers provided CPR or any other emergency medical intervention. Instead, they asked a jail nurse to give Mr. Lucas a sedative, even though he was already unconscious. Upon information and belief, none of the involved officers were disciplined for denying Mr. Lucas necessary emergency care.¹⁵¹
- c. In July 2015, Harris County detention officers denied Christopher Johnson medical treatment for his injuries after they assaulted him by grabbing him by the neck and choking him for over 30 seconds. Upon information and belief, none of

¹⁴⁸ *Young-Ross, et al. v. Harris County Sheriff's Office, et al.*, 2012-30991, Plaintiff's Original Petition and Request for Disclosure at ¶¶ 10-11.

¹⁴⁹ *Chavez-Sandoval v. Harris County, Texas*, Doc. No. 112-1 at ¶¶ 533-36.

¹⁵⁰ *Id.* at ¶ 534.

¹⁵¹ *Id.* at ¶¶ 535-36.

the involved officers were disciplined for denying Mr. Johnson necessary emergency care.¹⁵²

- d. In October 2015, Michael Alaniz was refused medical treatment after two Harris County detention officers assaulted him. Instead of being taken to the clinic after he lost consciousness, he was left alone in his cell for over two hours. Mr. Alaniz repeatedly requested medical treatment for his injuries. He was denied. Mr. Alaniz did not go to the hospital until after he was released from the jail. He suffered a fractured nose and a concussion. Upon information and belief, none of the involved officers were disciplined for denying Mr. Alaniz necessary emergency care.¹⁵³
- e. In March 2016, Mark Tennyson was denied medical care for six hours after a Harris County detention officer body slammed him and dislocated his shoulder. Mr. Tennyson requested medical attention for his injured shoulder but was ignored and instead placed in a cell alone. It was not until shift change that a Harris County employee finally responded to his request. Upon information and belief, none of the involved officers were disciplined for denying Mr. Tennyson necessary emergency care.¹⁵⁴
- f. In April 2016, Joseph Bailey was denied medical care after Harris County detention officers assaulted him. Upon being booked into the Jail, an officer choked Mr. Bailey while he was handcuffed, lifting him off of the floor and carrying him at least 30 paces. After Mr. Bailey was placed in a cell, a different

¹⁵² *Id.* at ¶¶ 500-05.

¹⁵³ *Id.* at ¶¶ 512-17.

¹⁵⁴ *Tennyson v. Harris County, Texas, et al.*, 4:2018-cv-00119, Doc. No. 1-2 at p. 4, ¶¶ 22-34.

officer placed him in a headlock and thrust his head into a wall while another officer jabbed him in the ribs with a solid object. Mr. Bailey was left alone in his cell despite temporarily losing consciousness and suffering a laceration to his face. Mr. Bailey is eventually seen by a medic who determined he had a concussion. Upon information and belief, none of the involved officers were disciplined for denying Mr. Bailey necessary emergency care.¹⁵⁵

- g. In February 2021, Jaquaree Simmons did not receive any medical care after Harris County detention officers assaulted him in his cell. The officers left Mr. Simmons, who had visible injuries to his face, in his cell without any clothing. Harris County detention officers assaulted Mr. Simmons again later that day. Mr. Simmons was beaten so severely that he lost consciousness and was bleeding so much that a pool of blood had accumulated on his cell floor. He was prescribed medication and sent back to his cell without any further medical care. Mr. Simmons was found unresponsive in his cell the next day. He died that day.¹⁵⁶
- h. In April 2022, Ryan Twedt did not receive adequate medical care after he was assaulted by Harris County detention officers. Mr. Twedt suffered a broken finger, bruised ribs, and lacerations to his head. Upon information and belief, none of the involved officers were disciplined for denying Mr. Twedt necessary emergency care.¹⁵⁷
- i. In September 2022, Taylor Euell did not receive proper treatment after he was assaulted by a Harris County detention officer. Mr. Euell suffered an eye injury

¹⁵⁵ *Bailey v. Harris County, et al.*, 4:2018-cv-01226, Doc. No. 1 at ¶¶ 14-56.

¹⁵⁶ *Chavez-Sandoval v. Harris County, Texas*, Doc. No. 112-1 at ¶¶ 428-48.

¹⁵⁷ *Id.* at ¶¶ 375-82.

and broken hand. He submitted numerous requests for medical assistance for his injuries. He received only a short evaluation by a general doctor. His requests to see an eye doctor were ignored. Upon information and belief, none of the involved officers were disciplined for denying Mr. Euell necessary emergency care.¹⁵⁸

- j. January 2023, Jacoby Pillow received only a cursory evaluation in the clinic and was left alone in his cell after being assaulted by Harris County detention officers. Mr. Pillow suffered blunt force trauma to his head, back, and extremities and was unable to breathe. He was found unresponsive in his cell on January 3, 2023 and died. Upon information and belief, none of the involved officers were disciplined for denying Mr. Pillow life-saving emergency care.¹⁵⁹
- k. In February 2023, Jeremiah Anglin was not immediately taken to the hospital after being assaulted by a Harris County detention officer. Mr. Anglin suffered significant swelling to his head and the loss of six teeth, requiring multiple screws in his mouth. Upon information and belief, none of the involved officers were disciplined for denying Mr. Anglin necessary emergency care.¹⁶⁰
- l. In February 2023, John Coote received only a cursory evaluation in the clinic after he was assaulted on two separate occasions by Harris County detention officers. He suffered facial bruising, a broken nose, and difficulty breathing during the first incident which were further exacerbated during the second

¹⁵⁸ *Id.* at ¶¶ 386-95.

¹⁵⁹ *Id.* at ¶¶ 291-98.

¹⁶⁰ *Id.* at ¶¶ 347-50.

incident. Upon information and belief, none of the involved officers were disciplined for denying Mr. Coote necessary emergency care.¹⁶¹

- m. In April 2023, Kenneth Richard was not immediately taken to the hospital after being assaulted by Harris County detention officers. Mr. Richard suffered severe head injuries, injuries to his back and chest, blurred vision, memory loss, numbness in his extremities, and lacerations on his ankles and wrists from shackles. Upon information and belief, none of the involved officers were disciplined for denying Mr. Richard necessary emergency care.¹⁶²
- n. In May 2023, Jeremy Garrison was not immediately taken to the hospital after being assaulted by Harris County detention officers. Mr. Garrison suffered a broken neck, head trauma, extreme bruising, lacerations, loss of consciousness, visual changes, and loss of strength and use in his right hand. Upon information and belief, none of the involved officers were disciplined for denying Mr. Garrison necessary emergency care.¹⁶³
- o. In June 2023, Zachery Johnson did not receive adequate medical care for his injuries after he was assaulted by Harris County detention officers. Mr. Johnson did not go to the hospital until after he was released from the jail. He suffered a fractured skull, neck, spine, and ribs, and a brain bleed. Upon information and belief, none of the involved officers were disciplined for denying Mr. Johnson necessary emergency care.¹⁶⁴

¹⁶¹ *Id.* at ¶¶ 363-71.

¹⁶² *Id.* at ¶¶ 339-43.

¹⁶³ *Id.* at ¶¶ 314-25.

¹⁶⁴ *Id.* at ¶¶ 329-34.

- p. In August 2023, Bryan Johnson submitted requests for emergency medical assistance for trouble breathing after he was assaulted by Harris County detention officers. His requests were ignored. Mr. Johnson's condition worsened. By the time he was taken to the clinic, he was unresponsive. He died later that day. Upon information and belief, none of the involved officers were disciplined for denying Mr. Johnson necessary emergency care.¹⁶⁵
- q. In March 2024, Daevion Young never received proper medical evaluation after multiple Harris County detention officers punched him and slammed his head into the wall while he was handcuffed. Instead, Mr. Young was placed in solitary confinement for 28 days following this assault. Mr. Young suffers from continued head and neck injuries due to this denial of care. Upon information and belief, none of the involved officers were disciplined for denying Mr. Young necessary emergency care.¹⁶⁶

145. Private lawsuits have also revealed a pattern of Harris County detention officers ignoring detainees' medical needs, including medical emergencies, delaying the provision of treatment. For example:

- a. In July 2019, Natividad Flores suffered a seizure and fell from his top bunk onto the floor of his cell. The Harris County detention officer on duty did not provide emergency aid or call for medical assistance. Instead, the officer laughed at Mr. Flores. Mr. Flores suffered a serious head injury and lost consciousness. He was

¹⁶⁵ *Id.* at ¶¶ 302-09.

¹⁶⁶ *Id.* at ¶¶ 283-85.

eventually taken to the hospital. Upon information and belief, the involved officer was not disciplined for denying Mr. Flores necessary emergency care.¹⁶⁷

- b. In November 2020, Elijah Gamble was left crawling on the floor after being assaulted by another inmate while Harris County officers watched. Despite watching another inmate punch Mr. Gamble in the face, momentarily knocking him out, the officers did not enter the cell. Mr. Gamble suffered a broken jaw. Upon information and belief, none of the involved officers were disciplined for denying Mr. Gamble necessary emergency care.¹⁶⁸
- c. In May 2021, Rory Ward, Jr. received inadequate treatment at the jail clinic after he was assaulted by another inmate in front of Harris County detention officer Kelsey Chambers. Mr. Ward was discovered slumped over three days later. He suffered blunt force trauma to the head. He died that day. Upon information and belief, the involved officer was not disciplined for denying Mr. Ward necessary emergency care.¹⁶⁹
- d. In February 2022, Simon Peter Douglas rammed his head against the door, walls, and metal grate in his cell while Harris County detention officers watched. The officers did not enter Mr. Douglas's cell or render any aid. After Mr. Douglas knocked himself out, officers put Mr. Douglas on a stretcher and carried him out. He died shortly thereafter. Upon information and belief, none of the involved officers were disciplined for denying Mr. Douglas necessary emergency care.¹⁷⁰

¹⁶⁷ *Id.* at ¶¶ 1029-30.

¹⁶⁸ *Id.* at ¶¶ 1096-1100.

¹⁶⁹ *Id.* at ¶¶ 985-88.

¹⁷⁰ *Id.* at ¶¶ 1079-82.

- e. In July 2022, Jim Franklin Lagrone was found unresponsive in his cell hours after Harris County detention officers observed him vomiting but did not provide any medical treatment. Mr. Lagrone was taken to the jail clinic and eventually the hospital. He died that day. Upon information and belief, none of the involved officers were disciplined for denying Mr. Lagrone necessary emergency care.¹⁷¹
- f. In August 2022, James Earl Gamble was found unresponsive in his bed in his cell. Harris County detention officers had not properly observed him as unresponsive. Mr. Gamble was taken to the jail clinic before EMTs were called to take him to the hospital. He died that day. Upon information and belief, none of the involved officers were disciplined for denying Mr. Gamble necessary emergency care.¹⁷²
- g. In January 2023, Kevin Leon Smith, Jr. suffered a medical emergency in his cell. Mr. Smith was unresponsive in his bed in his cell, but Harris County detention officers did not begin CPR or any other life-saving measures. Instead, they stood by as Mr. Smith's fingers, lips, and face turned blue. After Mr. Smith was taken to the elevator on a stretcher, an officer began compressions but did not administer any breaths or otherwise provide oxygen. An AED was retrieved but it was not charged. Mr. Smith died that day. Upon information and belief, none of the involved officers were disciplined for denying Mr. Smith necessary emergency care.¹⁷³
- h. In February 2023, Jaquez Moore suffered from a seizure after being attacked by other inmates. Harris County detention officers did not respond to the assault for

¹⁷¹ *Id.* at ¶¶ 954-57.

¹⁷² *Id.* at ¶¶ 961-64.

¹⁷³ *Id.* at ¶¶ 810-15.

30 minutes. Instead of bringing Mr. Moore to the clinic, they placed him in a holding cell. Mr. Moore was eventually brought to a holding cell in the clinic. He did not receive a thorough medical evaluation or testing for his injuries. A few months later, in May 2023, Mr. Moore suffered an eye injury after he was attacked by another inmate. He submitted requests for medical assistance for his injuries. His requests were ignored or not accepted for a long time. Upon information and belief, none of the involved officers were disciplined for denying Mr. Moore necessary emergency care on either occasion.¹⁷⁴

- i. In May 2023, Robert Terry, Jr. suffered a medical emergency in a multi-occupancy cell. Medical personnel did not arrive for 90 minutes. During that time, Harris County detention officers failed to render emergency aid. Instead, they stood around laughing and taunting Mr. Terry, who had fallen to the ground clutching his stomach and foaming at the mouth. He died that day. Upon information and belief, none of the involved officers were disciplined for denying Mr. Terry necessary emergency care.¹⁷⁵
- j. Also in May 2023, Antonio Radcliffe was not taken to the hospital for several hours despite being assaulted by another inmate in front of two Harris County detention officers. Mr. Radcliffe suffered a broken jaw. Upon information and belief, none of the involved officers were disciplined for denying Mr. Radcliffe necessary emergency care.¹⁷⁶

¹⁷⁴ *Id.* at ¶¶ 873-81.

¹⁷⁵ *Id.* at ¶¶ 400-09.

¹⁷⁶ *Id.* at ¶¶ 860-63.

k. In July 2023, Ramon Thomas suffered a medical emergency in his cell. Other inmates called for help for several minutes but Harris County detention officers did not respond. When officers finally did respond, they did not begin CPR or any other life-saving measures. Mr. Thomas was taken to the clinic. He died later that day. Upon information and belief, none of the involved officers were disciplined for denying Mr. Thomas necessary emergency care.¹⁷⁷

B. Harris County Fails to Train, Supervise, and Discipline its Detention Officers on the Provision of Emergency Medical Care.

146. The DOJ Report put the County on notice, as early as 2009, that the Jail's deficient medical services and staff failures to provide emergency medical care violated the constitutional rights of the detainees in its custody.

147. The repeated notices of the Jail's non-compliance with minimum jail medical standards, issued by TCJS to Sheriff Gonzalez, put the County on notice that the deficiencies observed by the DOJ in 2008 and 2009 persist to this day.

148. The numerous private lawsuits filed between 2012 and the present, *see* ¶¶ 144(a-q), 145(a-k), *supra*, all of which are either ongoing or have resolved with payments to the plaintiffs, have further put the County on notice of the Jail's repeated failures to provide necessary emergency care to individuals in its custody.

149. Despite having notice of the Jail's constitutionally inadequate emergency medical services, the County has, upon information and belief, failed to train, supervise, and discipline its detention officers in several key areas relating to the provision of emergency medical services, including:

¹⁷⁷ *Id.* at ¶¶ 819-24.

- a. obtaining prompt and thorough medical assessments for individuals who have been subjected to an officer's use of force;
- b. recognizing warning signs of asphyxia and other life-threatening medical emergencies;
- c. administering CPR and other forms of first aid.

150. In keeping with the County's failure to adequately supervise its detention officers regarding the provision of emergency medical care, at least three supervising sergeants—DOE Defendants #6, #16, and #18—observed the obvious signs of Mr. Cardenas's severe medical distress yet never ordered their inferior officers to stop applying asphyxiating force or provide emergency first aid.

151. In keeping with the County's failure to adequately discipline its officers for ignoring signs of medical distress, upon information and belief, none of the DOE Defendants have been disciplined in connection with Mr. Cardenas's death. In fact, HCSO did not even appear to investigate all the DOE Defendants for their involvement in Mr. Cardenas's death. Sherriff Gonzalez told the press that he temporarily reassigned only six detention officers and one supervising sergeant to duties without detainee contact pending HCSO's initial investigation of this incident, but there were least fifteen detention officers and three supervising sergeants involved.¹⁷⁸

CAUSES OF ACTION

COUNT 1

42 U.S.C. § 1983 – FOURTH AMENDMENT – Use of Excessive and Lethal Force (Against DOE Defendants #1 and #2, in their Individual Capacities)

¹⁷⁸ *Harris County Sheriff's Office Releases Video of July 8, 2025 Critical Incident, supra* n.7 at 4:29.

152. Plaintiffs reallege the facts and allegations contained in the foregoing paragraphs as if fully set out herein verbatim.

153. At the time of his encounter with DOE Defendants #1 and #2, Mr. Cardenas had a clearly established Fourth Amendment¹⁷⁹ right to be free from the use of objectively unreasonable excessive force.

154. At the time of Mr. Cardenas's encounter with DOE Defendants #1 and #2, it was "clearly established that it was objectively unreasonable for several officers to tackle an individual who was not fleeing, not violent, not aggressive, and only resisted by pulling his arm away from an officer's grasp." *Trammell v. Fruge*, 868 F.3d 332, 343 (5th Cir. 2017). It was also clearly established that an "officer uses excessive force when the officer strikes, punches, or violently slams a suspect who is not resisting arrest." *Darden v. City of Fort Worth*, 880 F.3d 722, 732 (5th Cir. 2018).

155. DOE Defendants #1 and #2 used objectively unreasonable and excessive force when they tackled Mr. Cardenas and dragged him across the floor merely because he had backed away from the jail exit door. Mr. Cardenas had his hands raised in submission and was not resisting, not violent, not aggressive, and not armed.

156. DOE Defendants #1 and #2 used objectively unreasonable and excessive lethal force when they tased Mr. Cardenas, slammed his body against the floor and wall, pinned him

¹⁷⁹ Plaintiffs bring Count 1 under the Fourth Amendment, rather than the Fourteenth Amendment, because Mr. Cardenas had been released from HCSO custody—and was thus an individual at liberty rather than a detainee—before the alleged excessive force incident began. However, Plaintiffs plead in the alternative that Defendants violated Mr. Cardenas's Fourteenth Amendment right to be free from the use of excessive force, and note that "the standard for excessive force is the same under either . . . [the Fourth or Fourteenth Amendment]: whether the force was objectively unreasonable in light of the facts and circumstances of . . . [the] particular case." *Boyd v. McNamara*, 74 F.4th 662, 667 n.3 (5th Cir. 2023) (cleaned up).

against the wall, punched him, and choked him—all while Mr. Cardenas was not resisting, not violent, not aggressive, and not armed.

157. DOE Defendants #1 and #2 acted under color of state law when they used objectively unreasonable and excessive lethal force against Mr. Cardenas.

158. As a direct result of DOE Defendants #1 and #2's use of objectively unreasonable and excessive lethal force, Mr. Cardenas experienced conscious pain and suffering.

COUNT 2

42 U.S.C. § 1983 – FOURTH AMENDMENT – Use of Excessive and Lethal Force (Against DOE Defendants #1, #2, #3, #4, #5, #6, #7, and #13, in their Individual Capacities)

159. Plaintiffs reallege the facts and allegations contained in the foregoing paragraphs as if fully set out herein verbatim.

160. At the time of his encounter with DOE Defendants #1, #2, #3, #4, #5, #6, #7, and #13, Mr. Cardenas had a clearly established Fourth Amendment¹⁸⁰ right to be free from the use of objectively unreasonable excessive force.

161. At the time of his encounter with DOE Defendants #1, #2, #3, #4, #5, #6, #7, and #13, it was “clearly established that an officer engages in an objectively unreasonable application of force by continuing to kneel on the back of an individual who has been subdued.” *Timpa v. Dillard*, 20 F.4th 1020, 1034 (5th Cir. 2021). It was also “clearly established that the continued use of force against a restrained and subdued subject violates the Fourth Amendment.” *Id.* at 1038.

162. Upon entering the second room, DOE Defendants #1, #2, and #4 tackled Mr. Cardenas, pinned him to the floor, and kned and punched him several times in quick succession.

¹⁸⁰ Plaintiffs bring Count 2 under the Fourth Amendment, rather than the Fourteenth Amendment, but plead in the alternative that Defendants violated Mr. Cardenas's Fourteenth Amendment right to be free from the use of excessive force. *See supra* n.179.

163. Defendant JOHN DOE #4 then pushed down on Mr. Cardenas's throat and delivered several closed-fist strikes to Mr. Cardenas's head and throat—all while he and DOE Defendants #1 and #2 were pinning Mr. Cardenas to the floor.

164. DOE Defendants #1, #2, and #4 then rolled Mr. Cardenas onto his stomach and used their body weight to push Mr. Cardenas's face, back, and legs into the floor. When Mr. Cardenas tried to shift his body slightly to allow himself to breathe, Defendants responded by pushing down even harder on his face, back, and legs.

165. DOE Defendants #3, #5, and #6 then joined DOE Defendants #1, #2, and #4 in pinning Mr. Cardenas to the floor, even though Mr. Cardenas was obviously struggling to breathe and was not resisting, not violent, not aggressive, and not armed.

166. Defendants continued to push Mr. Cardenas's face, back, and legs into the floor while securing Mr. Cardenas's handcuffs. Mr. Cardenas had largely stopped moving after one minute of being pinned to the floor, and he was fully handcuffed after approximately two minutes and ten seconds of this prone restraint. By this time, Mr. Cardenas's back had become visibly discolored from the lack of oxygen and Mr. Cardenas was no longer moving. But DOE Defendants #2, #4, and #5 continued to use their body weight to press Mr. Cardenas's head, back, and legs to the floor.

167. After Mr. Cardenas was fully handcuffed and no longer moving, Defendant JOHN DOE #7 joined Defendant JOHN DOE #5 in restraining Mr. Cardenas's legs, while Defendant JOHN DOE #2 pushed down on Mr. Cardenas's head and Defendant JOHN DOE #4 pushed down on Mr. Cardenas's back.

168. After Mr. Cardenas was fully handcuffed and no longer moving, Defendant JOHN DOE #6 assisted DOE Defendants #2, #4, and #7 in pinning Mr. Cardenas's head, back,

and legs to the floor. At this point, Mr. Cardenas had been pinned face-down under Defendants' weight for approximately two minutes and thirty seconds.

169. Defendant JOHN DOE #6 remained on the floor assisting DOE Defendants #2, #4, and #7 for approximately one minute. When Defendant JOHN DOE #6 stood up, he braced himself by pushing down on JOHN DOE #7 and JOHN DOE #2, causing JOHN DOE #7 and JOHN DOE #2 to push down harder onto Mr. Cardenas's already limp body.

170. Approximately two minutes after Mr. Cardenas was fully handcuffed—and more than four minutes after Defendants first pinned Mr. Cardenas face-down on the floor—Defendant JOHN DOE #13 took over for Defendant JOHN DOE #2 by pushing down on Mr. Cardenas's neck and back while Defendant JOHN DOE #4 continued to push down on Mr. Cardenas's back and Defendant JOHN DOE #7 continued to restrain Mr. Cardenas's legs. DOE Defendants #4, #7, and #13 continued to push down on Mr. Cardenas's head, back, and legs for an additional three minutes.

171. In total, Mr. Cardenas was pinned face-down under Defendants' body weight for nearly seven minutes and thirty seconds. Mr. Cardenas was not resisting, not violent, not aggressive, and not armed for the entire duration of this prone compression restraint.

172. Although Mr. Cardenas made some slight movements during the first minute of this restraint in an attempt to breathe, he stopped moving after approximately two minutes of restraint. After approximately two minutes and ten seconds of restraint, Mr. Cardenas was handcuffed and, according to HCSO, under the Defendant officers' control. Yet Defendants continued to pin Mr. Cardenas face-down to the floor for more than five additional minutes.

173. DOE Defendants #1, #2, and #4 each used objectively unreasonable and excessive lethal force when they repeatedly punched and kneed Mr. Cardenas after he was subdued and restrained.

174. DOE Defendants #1, #2, #3, #4, #5, #6, #7, and #13 each used objectively unreasonable and excessive lethal force when they continued to use their bodyweight to restrain Mr. Cardenas in a face-down prone position after Mr. Cardenas was subdued and restrained.

175. DOE Defendants #1, #2, #3, #4, #5, #6, #7, and #13 each acted under color of state law when they used objectively unreasonable and excessive lethal force against Mr. Cardenas.

176. As a direct result of DOE Defendants #1, #2, #3, #4, #5, #6, #7, and #13's use of objectively unreasonable and excessive lethal force, Mr. Cardenas experienced conscious pain and suffering, and died.

COUNT 3

42 U.S.C. § 1983 – FOURTH AMENDMENT – Use of Excessive and Lethal Force – Failure to Intervene (Against DOE Defendants #3 and #5 - #18 in their Individual Capacities)

177. Plaintiffs reallege the facts and allegations contained in the foregoing paragraphs as if fully set out herein verbatim.

178. At the time of his encounter with DOE Defendants #1 - #18, Mr. Cardenas had a clearly established Fourth Amendment¹⁸¹ right to be free from the use of objectively unreasonable excessive force.

¹⁸¹ Plaintiffs bring Count 3 under the Fourth Amendment, rather than the Fourteenth Amendment, but plead in the alternative that Defendants violated Mr. Cardenas's Fourteenth Amendment right to be free from the use of excessive force. *See supra* n.179.

179. At the time of his encounter with DOE Defendants #1 - #18, it was clearly established that “an officer who is present at the scene and does not take reasonable measures to protect a [person] from another officer’s use of excessive force” violates that person’s Fourth Amendment right to be free from the use of objectively unreasonable excessive force. *Hale v. Townley*, 45 F.3d 914, 919 (5th Cir. 1995).

180. Defendant JANE DOE #3 was present in the first room when DOE Defendants #1 and #2 tased Mr. Cardenas, slammed his body against the floor and wall, pinned him against the wall, punched him, and choked him. Defendant JANE DOE #3 had ample opportunity to intervene and prevent DOE Defendants #1 and #2 from continuing to use this excessive and lethal force against Mr. Cardenas, who was not resisting, not violent, not aggressive, and not armed. But Defendant JANE DOE #3 made no attempt to intervene and instead stood by.

181. Defendant JANE DOE #3 was also present in the second room with DOE Defendants #1, #2, and #4 when they punched and kicked Mr. Cardenas while he was subdued on the ground and then used their bodyweight to restrain him face-down in the prone position. Defendant JANE DOE #3 had ample opportunity to intervene and prevent DOE Defendants #1, #2, and #4 from continuing to use this excessive and lethal force against Mr. Cardenas, who was not resisting, not violent, not aggressive, not armed, and was obviously struggling to breathe. But Defendant JANE DOE #3 made no attempt to intervene and instead stood by.

182. DOE Defendants #3 and #5 - #18 were present at various times throughout the approximately seven minutes and thirty seconds that Mr. Cardenas was held in prone restraint. DOE Defendants #3 and #5 - #18 had ample opportunity to intervene and prevent this use of excessive and lethal force against Mr. Cardenas, who was not resisting, not violent, not aggressive, and not armed, but was subdued, handcuffed, and obviously struggling to breathe.

But DOE Defendants #3 and #5 - #18 made no attempt to intervene and instead stood by as Mr. Cardenas took his last breaths, went limp, and turned blue.

183. DOE Defendants #3 and #5 - #18 each acted under color of state law when they failed to intervene to prevent their fellow officers from using objectively unreasonable and excessive and lethal force against Mr. Cardenas.

184. As a direct result of DOE Defendants #3 and #5 - #18 failure to intervene, Mr. Cardenas experienced conscious pain and suffering, and died.

COUNT 4
42 U.S.C. § 1983 – FOURTH AMENDMENT – Use of Excessive and Lethal Force
(Against Defendant Harris County)

185. Plaintiffs reallege the facts and allegations contained in the foregoing paragraphs as if fully set out herein verbatim.

186. In violating Mr. Cardenas’s clearly established Fourth Amendment¹⁸² rights, DOE Defendants #1 - #18 were acting on behalf of Harris County and pursuant to its policies, practices, and/or customs sanctioning the use of excessive force against individuals in its custody.

187. Sheriff Gonzalez has served as the final policymaker for the Jail since January 1, 2017, when he assumed office as the Harris County Sheriff.

¹⁸² Plaintiffs bring Count 4 under the Fourth Amendment, rather than the Fourteenth Amendment, because Mr. Cardenas had been released from HCSO custody—and was thus an individual at liberty rather than a detainee—before the alleged excessive force incident began. However, Plaintiffs plead in the alternative that Defendant Harris County violated Mr. Cardenas’s Fourteenth Amendment right to be free from the use of excessive force, and note that “the standard for excessive force is the same under either . . . [the Fourth or Fourteenth Amendment]: whether the force was objectively unreasonable in light of the facts and circumstances of . . . [the] particular case.” *Boyd v. McNamara*, 74 F.4th 662, 667 n.3 (5th Cir. 2023) (cleaned up).

188. Since at least 2008, the County has consistently maintained an unlawful policy or custom whereby its detention officers respond to encounters with non-threatening, non-resistant, unarmed, subdued, and/or restrained individuals by using serious and even lethal force, including takedown maneuvers, closed-fist strikes, and prolonged prone restraints.

189. Sheriff Gonzalez had actual and/or constructive knowledge of this persistent and pervasive policy or custom whereby detention officers routinely use serious and even lethal force against non-threatening, non-resistant, unarmed, subdued, and/or restrained individuals.

190. Sheriff Gonzalez had notice that this unlawful policy or custom exposed detainees to harm or the risk of harm from excessive use of force. The County, through its policymaker Sheriff Gonzalez, acted with deliberate indifference to Mr. Cardenas's rights by continuing to authorize and/or tolerate this unlawful policy or custom, which was the moving force behind DOE Defendants' violations of Mr. Cardenas's right to be free from excessive force.

191. In addition, or in the alternative, Sheriff Gonzalez had actual and/or constructive knowledge that Harris County detention officers were not adequately trained, supervised, and/or disciplined with respect to the lawful use of force. Sheriff Gonzalez had actual and/or constructive notice that these deficiencies in officer training, supervision, and/or discipline led officers to use objectively unreasonable and excessive force on a routine basis. The County, through its policymaker Sheriff Gonzalez, acted with deliberate indifference to Mr. Cardenas's rights by failing to implement new and/or additional training, supervision, and discipline policies and procedures regarding the use of force. This failure was the moving force behind DOE Defendants' violations of Mr. Cardenas's right to be free from excessive force.

COUNT 5

**42 U.S.C. § 1983 – FOURTEENTH AMENDMENT – DENIAL OF MEDICAL CARE
(Against DOE Defendants #1 - #18 in their Individual Capacities)**

192. Plaintiffs reallege the facts and allegations contained in the foregoing paragraphs as if fully set out herein verbatim.

193. At the time of his encounter with DOE Defendants #1 - #18, Mr. Cardenas had a clearly established Fourteenth Amendment right to medical care. *Carter v. Reach*, 399 F. App'x 941, 942 (5th Cir. 2010).

194. The dangers of prone restraint and the risk of positional asphyxia have been well-known for decades.

195. The risk of an individual dying from asphyxiation when they have been placed in the prone position with multiple individuals on top of them applying pressure with their full bodyweight is obvious.

196. The inability to breathe signifies a serious need that is so apparent even laymen would recognize that care is required.

197. Mr. Cardenas was held facedown with multiple DOE Defendants on top of his body applying pressure for more than seven minutes.

198. DOE Defendants were aware of facts from which an inference of the existence of an excessive risk to Mr. Cardenas' health or safety could be drawn.

199. Specifically, DOE Defendants were aware of facts from which an inference that Mr. Cardenas was unable to breathe could be drawn.

200. DOE Defendants knew or should have known that holding Mr. Cardenas in the prone position could cause medical distress and death.

201. DOE Defendants knew or should have known that continuing to hold Mr. Cardenas in the prone position after he had stopped moving constituted an excessive risk to his health.

202. DOE Defendants knew or should have known that failing to initiate emergency medical care after Mr. Cardenas had stopped moving could result in substantial harm, including death.

203. DOE Defendants were aware of the substantial risk of serious harm to Mr. Cardenas but responded with deliberate indifference to that risk.

204. DOE Defendants failed to turn Mr. Cardenas onto his back to begin emergency medical care after he stopped moving, thereby delaying Mr. Cardenas's ability to receive care to address the serious need caused by his inability to breathe.

205. DOE Defendants each acted under color of state law when they failed to initiate emergency medical care, out of deliberate indifference to Mr. Cardenas's serious medical needs.

206. As a direct result of DOE Defendants' deliberately indifferent delay in providing Mr. Cardenas emergency medical care, Mr. Cardenas experienced conscious pain and suffering, and died.

COUNT 6
42 U.S.C. § 1983 – FOURTEENTH AMENDMENT – DENIAL OF MEDICAL CARE
(Against Defendant Harris County)

207. Plaintiffs reallege the facts and allegations contained in the foregoing paragraphs as if fully set out herein verbatim.

208. In violating Mr. Cardenas's clearly established Fourteenth Amendment rights, DOE Defendants #1 - #18 were acting on behalf of the County and pursuant to its policies, practices, and/or customs of denying critical emergency medical to individuals in its custody.

209. Sheriff Gonzalez has served as the final policymaker for the Jail since January 1, 2017, when he assumed office as the Harris County Sheriff.

210. Since at least 2008, the County has consistently maintained an unlawful policy or custom whereby its detention officers ignore the serious medical needs of detainees, including those detainees experiencing medical emergencies as a result of officers' use of excessive force.

211. Sheriff Gonzalez had actual and/or constructive knowledge of this persistent and pervasive policy or custom whereby detention officers routinely fail to recognize—or recognize but ignore—signs of detainees' medical distress.

212. Sheriff Gonzalez had notice that this unlawful policy or custom exposed detainees to harm or the risk of serious bodily harm and even death. The County, through its policymaker Sheriff Gonzalez, acted with deliberate indifference to Mr. Cardenas's rights by continuing to authorize and/or tolerate this unlawful policy or custom, which was the moving force behind DOE Defendants' violations of Mr. Cardenas's Fourteenth Amendment rights.

213. In addition, or in the alternative, Sheriff Gonzalez had actual and/or constructive knowledge that Harris County detention officers were not adequately trained, supervised, and/or disciplined with respect to detainees' medical needs and the provision of emergency medical services. Sheriff Gonzalez had actual and/or constructive notice that these deficiencies in officer training, supervision, and/or discipline led officers to delay or deny necessary and potentially life-saving emergency care on a routine basis. The County, through its policymaker Sheriff Gonzalez, acted with deliberate indifference to Mr. Cardenas's rights by failing to implement

new and/or additional training, supervision, and discipline policies and procedures regarding detainees' medical needs and the provision of emergency medical services. This failure was the moving force behind DOE Defendants' violations of Mr. Cardenas's Fourteenth Amendment rights.

COUNT 7
SURVIVAL ACTION – CLAIM OF ESTATE OF ALEXIS JOVANY CARDENAS
(Against All Defendants)

214. Plaintiffs reallege the facts and allegations contained in the foregoing paragraphs as if fully set out herein verbatim.

215. This survival claim for damages resulting from the death of Mr. Cardenas is brought by Maria Cardenas, as an heir and representative of the estate of Mr. Cardenas. There is no administration pending for Mr. Cardenas's estate and no administration is necessary.

216. Any person required to be named as a Plaintiff in this lawsuit to collect damages under Section 71.021, Texas Civil Practices and Remedies Code, is hereby a named Plaintiff. Plaintiffs bring this survival action pursuant to Texas Civil Practice and Remedies Code, Section 71.021, because of personal injuries suffered by Mr. Cardenas, which resulted in his death, based upon the facts and legal theories more fully set out above.

217. DOE Defendants, through their wrongful acts, neglect, carelessness, unskillfulness, and/or default described herein, caused the injuries that caused Mr. Cardenas's wrongful death.

218. Because DOE Defendants all committed the acts or omissions described herein while they were in the course and scope of their employment with Defendant Harris County, pursuant to *respondeat superior*, Plaintiffs assert that Defendant Harris County is vicariously liable for the tortious misconduct of these DOE Defendants.

219. On behalf of the estate of Mr. Cardenas, Plaintiff Maria Cardenas seeks damages for the conscious pain and suffering and mental anguish that the Decedent, Mr. Cardenas, suffered prior to his death, for the reasonable and necessary medical expenses which were reasonably incurred prior to his death, funeral expenses, and exemplary damages. Plaintiff seeks damages and exemplary damages.

COUNT 8
CLAIM FOR DAMAGES FOR WRONGFUL DEATH
(Against All Defendants)

220. Plaintiffs reallege the facts and allegations contained in the foregoing paragraphs as if fully set out herein verbatim.

221. This claim for damages resulting from the death of Mr. Cardenas is brought by Maria Cardenas as Mr. Cardenas's surviving spouse, the minor children of Mr. Cardenas (F.A., K.C., K.C., and A.C.), and Elena Guzman as Mr. Cardenas's surviving mother pursuant to Texas Civil Practices and Remedies Code, 71.001 et. seq. This claim is based upon the facts and legal theories more fully set out herein.

222. DOE Defendants, through their wrongful acts, neglect, carelessness, unskillfulness, and/or default described herein, caused the injuries that caused Mr. Cardenas's wrongful death.

223. Because DOE Defendants all committed the acts or omissions described herein while they were in the course and scope of their employment with Defendant Harris County, pursuant to *respondeat superior*, Plaintiffs assert that Defendant Harris County is vicariously liable for the tortious misconduct of these DOE Defendants.

224. As a result of the wrongful death of Mr. Cardenas, his wife, his children, and his mother have suffered mental anguish, grief, and sorrow in the past and will continue to suffer

mental anguish, grief and sorrow in the future. They have all suffered profound losses by virtue of the destruction of both the spousal relationship and the parent-child relationship, including the right to love, affection, consortium, solace, comfort, companionship, society, emotional support, and happiness. They have sustained funeral expenses, a loss of household services, and a need for psychological and mental health counseling (as well as the cost of such medical treatment). They all seek exemplary damages.

**COUNT 9
ASSAULT**

(Against DOE Defendants #1, #2, #3, #4, #5, #6, #7, and #13 and Defendant Harris County)

225. Plaintiffs reallege the facts and allegations contained in the foregoing paragraphs as if fully set out herein verbatim.

226. DOE Defendants #1 - #7 and #13 are liable to Plaintiffs for the assault perpetrated upon Mr. Cardenas inside the Jail. Such assault(s) were legally unjustified and unnecessary, and Mr. Cardenas suffered physical injury from the same, ultimately causing him great pain and suffering, mental anguish, and finally, his death.

227. Because DOE Defendants all committed the acts or omissions described herein while they were in the course and scope of their employment with Defendant Harris County, pursuant to *respondeat superior*, Plaintiffs assert that Defendant Harris County is vicariously liable for the tortious misconduct of these DOE Defendants.

228. Plaintiffs seek any and all available damages, including exemplary damages resulting from the same.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray that after due proceedings there be judgment rendered herein in Plaintiffs' favor and against all Defendants, individually and jointly, as follows:

- a. Compensatory and punitive/exemplary damages as prayed for herein;
- b. Reasonable attorneys' fees, as provided in 42 U.S.C. § 1988, 42 U.S.C. § 12205, and 29 U.S.C. § 794(b) and all costs of these proceedings;
- c. Punitive or exemplary damages pursuant to 42 U.S.C. § 1983 and any other applicable statute;
- d. Relief under Tex. Civ. Prac. & Rem. Code Chapter 71 et seq.; and
- e. All other relief as appears just and proper to this Honorable Court.

Dated: February 26, 2026

Respectfully submitted,

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