

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAY 19 2021

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

COURAGE UHUMWNOMA OSAWE,

No. 19-16683

Plaintiff-Appellant,

D.C. No.

3:18-cv-00600-RCJ-WGC

v.

JENNIFER TINSLEY, DMV Investigator;
et al.,

MEMORANDUM*

Defendants-Appellees.

Appeal from the United States District Court
for the District of Nevada
Robert Clive Jones, District Judge, Presiding

Submitted October 9, 2020**
Portland, Oregon

Before: PAEZ and RAWLINSON, Circuit Judges, and ANTOON,** District
Judge.

Plaintiff-Appellant Courage Osawe appeals the district court's grant of

* This disposition is not appropriate for publication and is not precedent
except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision
without oral argument. *See* Fed. R. App. P. 34(a)(2).

*** The Honorable John Antoon II, United States District Judge for the
Middle District of Florida, sitting by designation.

summary judgment in favor of Defendants-Appellees. Reviewing de novo, *Rosenbaum v. Washoe Cnty.*, 663 F.3d 1071, 1075 (9th Cir. 2011) (per curiam), we affirm.¹

The district court properly concluded that Defendants, Nevada Department of Motor Vehicle officers, were entitled to qualified immunity. Even assuming a reasonable jury could conclude that Defendants did not have probable cause to arrest Osawe for violating Nevada Revised Statutes 482.020 and 482.322, it was at least reasonably arguable that probable cause existed. *See id.* at 1078. At the time Osawe was arrested, Defendants had evidence that Osawe had personally sold one car and was involved in the sale of another. Further, he did not dispute that his phone number was listed on advertisements for four vehicles. Osawe had also been spotted at vehicle auctions. On the basis of this information, an officer could have reasonably believed that Osawe was dealing vehicles without a license. Defendants are therefore entitled to qualified immunity.

AFFIRMED.

¹ Because the parties are familiar with the facts and procedural history of this case, we do not recount them here.