

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 28 2026

FOR THE NINTH CIRCUIT

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

DOMINIQUE LASHON DANIELS,

No. 23-55497

Plaintiff-Appellant,

D.C. No. 8:21-cv-00223-CJC-MAR

v.

MEMORANDUM*

WAYNE J. DIXON; WILLIAM J.
LONGAN; RICHARD C. NOEL; GENE R.
MINKO; CAROLYNN. R. CUZYNSKI;
AMBER WHITE; VICTOR A. VALDEZ,

Defendants-Appellees.

Appeal from the United States District Court
for the Central District of California
Cormac J. Carney, District Judge, Presiding

Submitted September 22, 2026**

Before: OWENS, COLLINS, and SUNG, Circuit Judges.

Dominique Lashon Daniels appeals pro se from the district court's summary judgment in her action alleging federal and state law claims arising from a traffic

* 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). Daniels's request for oral argument, set forth in the opening brief, is denied.

stop. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Long v. Sugai*, 91 F.4th 1331, 1336 (9th Cir. 2024). We affirm.

The district court properly granted summary judgment on Daniels's claims for unlawful detention, false imprisonment, retaliation and violation of the Bane Act because Daniels failed to raise a genuine dispute of material fact as to whether defendants lacked reasonable suspicion to stop and detain Daniels or whether the detention was unduly prolonged. *See United States v. Lopez-Soto*, 205 F.3d 1101, 1104-05 (9th Cir. 2000) (setting forth the requirements of reasonable suspicion needed to detain suspect during investigatory traffic stop); *see also United States v. Steinman*, 130 F.4th 693, 703 (9th Cir. 2025) (explaining that lawful inquiries incident to a traffic stop include checking driver's license and vehicle registration); *Capp v. County of San Diego*, 940 F.3d 1046, 1053 (9th Cir. 2019) (stating requirements of a First Amendment retaliation claim, including that a protected activity was a motivating factor in defendant's conduct); *Lyall v. City of Los Angeles*, 807 F.3d 1178, 1184 (9th Cir. 2015) (noting that a claim under California's Bane Act requires deprivation of constitutional right); *Collins v. City & County of San Francisco*, 123 Cal. Rptr. 525, 526 (Ct. App. 1975) (explaining that false imprisonment and false arrest are the same torts under California law).

The district court properly granted summary judgment on Daniels's equal protection and Ralph Act claims based on racial profiling because Daniels failed to

raise a genuine dispute of material fact as to whether defendants acted with a discriminatory intent. *See Reese v. Jefferson Sch. Dist. No. 14J*, 208 F.3d 736, 740 (9th Cir. 2000) (explaining that to succeed on an equal protection claim a plaintiff must prove that a defendant acted in a discriminatory manner and that the discrimination was intentional); *Austin B. v. Escondido Union Sch. Dist.*, 57 Cal. Rptr. 3d 454, 470 (Ct. App. 2007) (explaining that discriminatory motive is required to show a California Ralph Act violation).

The district court did not abuse its discretion in overruling Daniels's objections to defendants' evidence submitted in support of summary judgment. *See Elosu v. Middlefork Ranch Inc.*, 26 F.4th 1017, 1023 (9th Cir. 2022) (setting forth standard of review for a district court's evidentiary rulings); *Fraser v. Goodale*, 342 F.3d 1032, 1036-37 (9th Cir. 2003) (explaining that the admissibility of the evidence's form is not considered at the summary judgment stage).

We do not consider matters not specifically and distinctly raised and argued in the opening brief, or arguments and allegations raised for the first time on appeal. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

AFFIRMED.