

FILED
CLERK, U.S. DISTRICT COURT
4-21-26
CENTRAL DISTRICT OF CALIFORNIA
BY: PG DEPUTY

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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

EMILY GARCIA; and C.G., by and
through her guardian ad litem, Rosala
Becerra, individually and as successors-in-
interest,

Plaintiffs,

v.

CITY OF TUSTIN; ESTELLA SILVA;
and DOES 1 through 10, inclusive,
Defendants.

Consolidated with WENDY LORENA
GALICIA RAMIREZ, et al. v. CITY OF
TUSTIN, et al.

Case No. 8:22-cv-00131-SPG-KES

REDACTED

VERDICT FORM

1 We, the jury, in the above-entitled action, find the following special verdict on the requests
2 presented to us:

3
4 **CLAIM ONE – SECTION 1983, UNREASONABLE SEIZURE**

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6 **QUESTION 1:** Have the Plaintiffs proven by a preponderance of the evidence that Tustin
7 Police Officer Estela Silva made an unreasonable seizure of Luis Garcia?

8
9 Yes No

10
11 *If you answered "Yes" to Question 1, please answer Question 2.*

12 *If you answered "No" to Question 1, please proceed to Question 4.*

13
14
15 **QUESTION 2:** Have the Plaintiffs proven by a preponderance of the evidence that the
16 unreasonable seizure by Tustin Police Officer Estela Silva was an actual cause of Luis
17 Garcia's death?

18
19 Yes No

20
21 *If you answered "Yes" to Question 2, please answer Question 3.*

22 *If you answered "No" to Question 2, please proceed to Question 4.*

1 **QUESTION 3:** Have the Defendants proven by a preponderance of the evidence that any
2 reasonable officer with the same knowledge, circumstances, and facts as Officer Silva
3 would have believed that Luis Garcia posed an immediate threat of serious bodily injury
4 or death?

5
6 _____ Yes X No

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8 *Please proceed to Question 4.*

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CLAIM TWO – BANE ACT

QUESTION 4: Have the Plaintiffs proven by a preponderance of the evidence that Tustin Police Officer Estela Silva violated the Bane Act by intending to violate or recklessly disregarding Luis Garcia’s constitutional right to be free from excessive force?

Yes No

If you answered “Yes” to Question 4, please answer Question 5.

If you answered “No” to Question 4, please proceed to Question 6.

QUESTION 5: Have the Plaintiffs proven by a preponderance of the evidence that a violation of the Bane Act was a substantial factor in causing Luis Garcia harm?

Yes No

Please proceed to Question 6.

1 CLAIM THREE – BATTERY

2
3 **QUESTION 6:** Have the Plaintiffs proven by a preponderance of the evidence that Tustin
4 Police Officer Estela Silva committed a battery against Luis Garcia?

5
6 Yes No

7
8 *If you answered "Yes" to Question 6, please answer Question 7.*

9 *If you answered "No" to Question 6, please proceed to Question 8.*

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12 **QUESTION 7:** Have the Plaintiffs proven by a preponderance of the evidence that a
13 battery by Tustin Police Officer Estela Silva was a substantial factor in causing Luis
14 Garcia's harm and/or death?

15
16 Yes No

17
18 *Please proceed to Question 8.*

CLAIM FOUR – NEGLIGENCE

QUESTION 8: Have the Plaintiffs proven by a preponderance of the evidence that Tustin Police Officer Estela Silva was negligent in her use of deadly force against Luis Garcia?

 X Yes No

If you answered "Yes" to Question 8, please answer Question 9.

If you answered "No" to Question 8, please proceed to Question 13.

QUESTION 9: Have the Plaintiffs proven by a preponderance of the evidence that the negligence of Officer Silva was a substantial factor in causing Luis Garcia’s harm and/or death?

 X Yes No

If you answered "Yes" to Question 9, please answer Question 10.

If you answered "No" to Question 9, please proceed to Question 13.

QUESTION 10: Have the Defendants proven by a preponderance of the evidence that Luis Garcia was negligent?

 Yes X No

If you answered "Yes" to Question 10, please answer Question 11.

If you answered "No" to Question 10, please proceed to Question 13.

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QUESTION 11: Have the Defendants proven by a preponderance of the evidence that the negligence of Luis Garcia was a substantial factor in causing his death?

_____ Yes _____ No

If you answered "Yes" to Question 11, please answer Question 12.

If you answered "No" to Question 11, please proceed to Question 13.

QUESTION 12: What percentage of negligence that was a cause of Luis Garcia's death do you assign to Officer Silva, and what percentage of negligence that was a cause of Luis Garcia's death do you assign to Luis Garcia? (Your total should equal 100%).

Officer Silva _____ %

Luis Garcia _____ %

Please proceed to Question 13.

DAMAGES

If you answered "Yes" to any of Questions 2, 5, 7, or 9, you have found Defendants liable on the associated claim. If you answered "No" to Questions 2, 5, 7, or 9, or if you answered "No" to Questions 1, 4, 6, or 8, you have found Defendants not liable on the associated claim.

QUESTION 13: What are Luis Garcia's damages for his pre-death pain and suffering and loss of life?

Pre-death pain and suffering \$ 5,000,000

Loss of Life \$ 5,000,000

Please proceed to Question 14.

QUESTION 14: What wrongful death damages (past and future) do you award to the Plaintiffs?

Emily Garcia: \$ 2,000,000

Camila Garcia (C.G.): \$ 2,000,000

Wendy Galicia: \$ 1,000,000

Kevin Galicia: \$ 2,000,000

Please sign and return this verdict form.

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Signed:

Jury Foreperson
"Signature redacted by the Court"

Dated:

4/21/26
~~*4/20*~~