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# Lawsuit against Virginia Beach sheriff's office should be dismissed, magistrate says

VIRGINIA BEACH

A federal magistrate has recommended that a lawsuit filed by a woman who alleged that she was the victim of excessive force in City Jail should be dismissed.

Janace Johnson, 60, sued the city, the state, Sheriff Paul Lanteigne, two sheriff's deputies and a policeman last year after she emerged from jail with a broken eye socket and other injuries. She had been arrested on a domestic violence charge.

A federal judge in March threw out all Johnson's claims except for the ones alleging excessive force by sheriff's deputies.

This week, U.S. Magistrate Judge James E. Bradberry found that the sheriff's deputies and Lanteigne are entitled to "qualified immunity," which can shield government employees on the job from claims of civil damages. The matter now goes to a judge who will make the final call.

Johnson's attorney, Tim Anderson, said his client will appeal the magistrate's decision. He has argued that Johnson is mentally ill and should have a jury trial. A video of the incident from the jail's inmate processing area shows Johnson standing up and two sheriff's deputies pushing her down to a bench before wrestling her to the floor.

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