

Mireles v. Waco

502 U.S. 9 (1991)

Supreme Court of the United States

Issue: Immunity upheld for ordering excessive force

Holding on Judicial Immunity

A judge allegedly ordered police officers to seize a public defender and bring him to court 'with excessive force.' The Court (per curiam, summarily reversing) held the judge absolutely immune: immunity is not overcome by allegations of bad faith or malice, and a judge is not stripped of immunity merely because an action was in error or in excess of authority.

Key Quotations (verbatim)

"If judicial immunity means anything, it means that a judge 'will not be deprived of immunity because the action he took was in error ... or was in excess of his authority.'"

— Mireles v. Waco, 502 U.S. 9, 12–13 (1991) (per curiam) (quoting Stump).

"Ordering a battery has no relation to a function normally performed by a judge."

— Mireles v. Waco, 502 U.S. 9, 16 (1991) (Stevens, J., dissenting).

Full opinion (authoritative source): <https://www.courtlistener.com/opinion/112655/mireles-v-waco/>

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