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FEATURED CASE

Sixth Circuit Upholds Summary Judgment for County in §1983 Suit Over Illegal Search, Contract Bid, and Towing List Changes

***Rockwood Auto Parts, Inc. v. Monroe County,* No. 24-1828 (Sept. 10, 2025)**

The plaintiffs, Rockwood Auto Parts, Rockwood Towing (Rockwood), and their owner, had enjoyed years of favorable treatment under a prior sheriff, including being the primary maintenance provider for the sheriff's fleet and holding a prominent position on the county's towing list. However, after Sheriff Troy Goodnough (Goodnough) took office in 2021, the relationship deteriorated. Around the same time, Monroe County issued a new RFP for fleet maintenance. Although Rockwood submitted a bid, the contract was awarded to Gerweck Nissan after Goodnough requested clarifications of its proposal. Rockwood also lost its previous exclusivity on parts of the towing list, which reduced its business. Rockwood believed this was because Goodnough's brother was close with people at Gerwick Nissan, while Goodnough claimed that the quoted maintenance price for Gerwick was lower than Rockwood's bid.

Goodnough also believed that Rockwood was holding a boat trailer and several cars belonging to the Sheriff's Office. Goodnough went to Rockwood to initiate an audit of sheriff's property he believed was improperly stored at Rockwood's premises. Accompanied by Sergeant Michael Preadmore, he entered Rockwood's business and Poli's residence to inspect vehicles and trailers after the employee working at the time allowed them to enter. After finding the vehicles, Goodnough was told by the employee that Rockwood had purchased them at auction, which Goodnough found odd, given that emergency equipment was still attached to the vehicles.

Plaintiffs filed suit, alleging that the audit was an unconstitutional search, that the contract and towing decisions violated equal protection and due process, and that the county was liable under Monell. After discovery, the county moved for summary judgment, which the District Court granted, and the plaintiffs

appealed. The appellate court divided its analysis into the 4th Amendment claim and the equal protection claim.

Legal Questions:

1. Did the sheriff and sergeant violate the Fourth Amendment by entering Rockwood's business and property without a warrant, or did the owner's adult son have actual or apparent authority to consent to the search, and was the scope of that consent exceeded?
2. Did Monroe County and Sheriff Goodnough violate the plaintiffs' right to equal protection by treating Rockwood differently from similarly situated businesses, both in awarding the fleet-maintenance contract and in restructuring the towing list, without a rational basis, or due to personal animus?

Holdings:

The Sixth Circuit held that Monroe County and its officials did not violate the plaintiffs' constitutional rights: the warrantless audit of Rockwood's property was valid because Poli's son had authority to consent and the search stayed within its scope; the county had rational bases for awarding the fleet-maintenance contract to another bidder and restructuring the towing list, defeating the equal protection claims; Rockwood had no protected property interest in the contract under due process because the RFP reserved broad discretion to the county; and without any underlying constitutional violation, the Monell claim also failed.

Analysis:

4th Amendment Claim:
In analyzing the Fourth Amendment claim, the Sixth Circuit first examined whether the sheriff and sergeant unlawfully searched Rockwood's business premises and Poli's property without a warrant. The plaintiffs argued that the search was unconstitutional because it occurred without valid consent and exceeded any reasonable scope. The court began by addressing the issue of consent. It noted that to demonstrate valid consent, an officer must show that consent to search was "freely and voluntarily given" by a person with authority to consent. Schneckloth v. Bustamonte, 412 U.S. 218, 222 (1973). It found that the owner's adult son, Anthony, who was the only employee present when the sheriff arrived, had both actual authority and apparent authority to consent, relying on cases such as United States v. Ayoub, 498 F.3d 532, 537 (6th Cir. 2007) to make that determination. The record showed that Anthony played a significant role in the business, including submitting bids, handling email and tax matters, and managing day-to-day operations. Given this responsibility, the court held that he had actual authority to permit entry. Even if that were not the case, the sheriff and sergeant reasonably believed Anthony had such authority, satisfying the standard for apparent authority under the Fourth Amendment.

The court then turned to whether the defendants exceeded the scope of the consent. It noted that Sheriff Goodnough told Anthony he was there to conduct an audit of sheriff's office property, and the inspection was limited to that purpose—checking VIN numbers on vehicles, inspecting trailers, and identifying whether certain equipment belonged to the county. Although Anthony indicated that some vehicles belonged to Rockwood, he did not object further or attempt to stop the inspection, which reinforced that the scope of consent was not violated. The court emphasized

that the officers' actions were consistent with the announced object of the search, which was to verify the location of county property, and thus the search did not exceed permissible bounds.

Finally, the plaintiffs argued that the search was a pretext to harm Rockwood's business interests, claiming that the sheriff used the "audit" as a cover for retaliation. But this was rejected because even if the audit indirectly harmed Rockwood's business, there was no indication that the sheriff's true motive was anything other than verifying county property.

Equal Protection Claim:

For the Equal Protection claim, the Sixth Circuit applied "class-of-one" doctrine, under which a plaintiff must show (1) that they were treated differently from similarly situated comparators, and (2) that there was no rational basis for the difference in treatment. *Green Genie, Inc. v. City of Detroit*, 63 F.4th 521, 527 (6th Cir. 2023). The plaintiffs argued two areas of disparate treatment: (1) Monroe County's decision to award the fleet-maintenance contract to Gerweck Nissan, and (2) Goodnough's restructuring of the non-preference towing list, which reduced Rockwood's share of towing assignments.

The court found that there was no intentional discrimination in awarding the contract on the part of the Sheriff's Office because the record showed that the bid from Gerwick Nissan was lower than Rockwood's and that the plaintiffs presented no evidence to dispute that conclusion. The court also upheld the Sheriff's Office's reassignment on the towing list noting that there was a rational basis for their reassignment in that they were located further away from the zone they were assigned to than any other towing company assigned to that zone. The plaintiffs once again presented no evidence to suggest that the defendants reassigned them out of animus towards them or did not have a rational basis for the reassignment. The court also briefly addressed due process and municipal liability claims.

Rockwood Auto Parts, Inc. v. Monroe County

SHORT SUMMARIES:

3rd Circuit – Gun Restrictions

Consistent with the opinion out of the 4th Circuit from the last eNews, the 3rd Circuit has similarly held that a New Jersey ban on weapons in sensitive places such as parks, schools, hospitals, and government buildings is consistent with the history and tradition of the regulation of firearms in America. However, the New Jersey law went further than just a ban in sensitive places. It also mandated liability insurance for gun owners, set aside a portion of the permit fee allocated to the Victims of Crime Compensation Office, the changes to the private property default rule as applied to places open to the public, and the ban on carrying operable firearms in private vehicles, which the court held to likely violate the Second Amendment.

Koons v. Attorney General New Jersey

11th Circuit – Insurance – Discrimination – Transgender

The en banc 11th Circuit, in a split decision, concluded that a county's insurance policy that did not cover transition for transgender individuals does not violate laws preventing discrimination based on sex. Simplistically, the court concluded that because the coverage issues affected people of both sexes equally, it did not discriminate based on sex. While the result in this case addresses employment issues involving a deputy sheriff in a county sheriff's office, it does not address other issues that might arise for a sheriff or a jail; i.e., must a jail provide transitioning care to an inmate. Similar to offering abortion services to an inmate, a jail must evaluate the medical issues involved, and while a jail can generally deny services for elective surgeries or medical treatment if medical necessity requires the surgery or medical treatment, jails will likely be required to provide them.

Lange v. Houston County

7th Circuit – Animal Law

Vaughn Neita owned a pit bull tethered outside on a lot in Chicago. Animal-control officials received anonymous reports that the dog was kept in inhumane conditions, which prompted a visit by two officers. The officers observed the dog tethered, wearing a chain-like collar, in a plywood doghouse with a heater and two bowls (one agreed to be empty; the other possibly frozen water). Neita was later arrested under two provisions of the Illinois Humane Care for Animals Act for alleged neglect/abuse. At trial, the state court granted a directed finding for Neita because some elements charged were not required under the law, and because the evidence didn't show Macy was undernourished or unhealthy and appeared happy and playful even by the officer's description.

Neita then sued under Section 1983 for false arrest, illegal search/seizure, and other claims. The district court granted summary judgment to the officers, finding at a minimum "arguable probable cause," so that the officers were protected by qualified immunity. The Seventh Circuit reversed the grant of qualified immunity to the police officers on the false arrest and seizure claims because genuine issues of material fact remain about whether even arguable probable cause existed. It affirmed the district court's decisions on other issues (discovery rulings, dismissal of some claims, and malicious prosecution claim).

Neita v. City of Chicago

4th Circuit – Taxation – First Amendment

Maryland determined to tax advertising dollars paid to internet providers and prohibited the providers from identifying how that tax affected the users' costs. The panel recounted the history of Americans' opposition to taxation, most directly the Stamp Act, which effectively taxed pamphleteers who were the social media of the time. The lower court upheld the law. The panel reversed. The State argued that the tax was on conduct when it saw it was losing on the issue of whether it was a tax on speech. The panel found neither argument sufficient to overcome the Plaintiffs' challenge. There may be a split with the 6th Circuit as the panel distinguished a decision there.

Chamber of Commerce vs. Maryland