



Court Sides With Driver Who Flipped Off Officer After Getting Ticketed

BY MICHAEL GAUTHIER | MARCH 14, 2019



Getting ticketed is never fun, but it's probably not a good idea to give an officer the finger.

However, that's what happened on June 1st, 2017. According to the Sixth

Circuit Court of Appeals, Taylor, Michigan Police Officer Matthew Minard pulled Debra Cruise-Gulyas over for speeding. Minard was apparently in a good mood as he wrote Cruise-Gulyas a ticket for impeding traffic which is a “lesser violation, known as a non-moving violation.”

While most drivers would be happy with this, Cruise-Gulyas was upset and flipped Minard off as she drove away. This gesture angered Minard who pulled Cruise-Gulyas over again and changed her ticket to a “moving violation – a speeding offense and what counts as a more serious violation of Michigan law.”



Cruise-Gulyas sued Minard for violating her constitutional rights under the first, fourth and fourteenth amendments. Minard attempted to get the case dismissed, but the United States District Court of Eastern Michigan rejected the motion last year.

Minard appealed and the case moved to the Sixth Circuit Court of Appeals. The court issued their opinion yesterday and Circuit Judge Jeffrey Sutton noted “Fits of rudeness or lack of gratitude may violate the Golden Rule,” but that doesn’t make them illegal, punishable or “matter grounds for a seizure.”

Sutton went on to note Cruise-Gulyas was pulled over less than 100 yards (91 meters) from the initial stop. Given that she hadn’t broken any laws in that short

distance, the court determined Minard violated Cruise-Gulyas's right to be "free from an unreasonable seizure by stopping her a second time."

The court also noted "Any reasonable officer would know that a citizen who raises her middle finger engages in speech protected by the first amendment." As a result, they determined Minard committed a "cognizable, and clear, violation of her speech rights."



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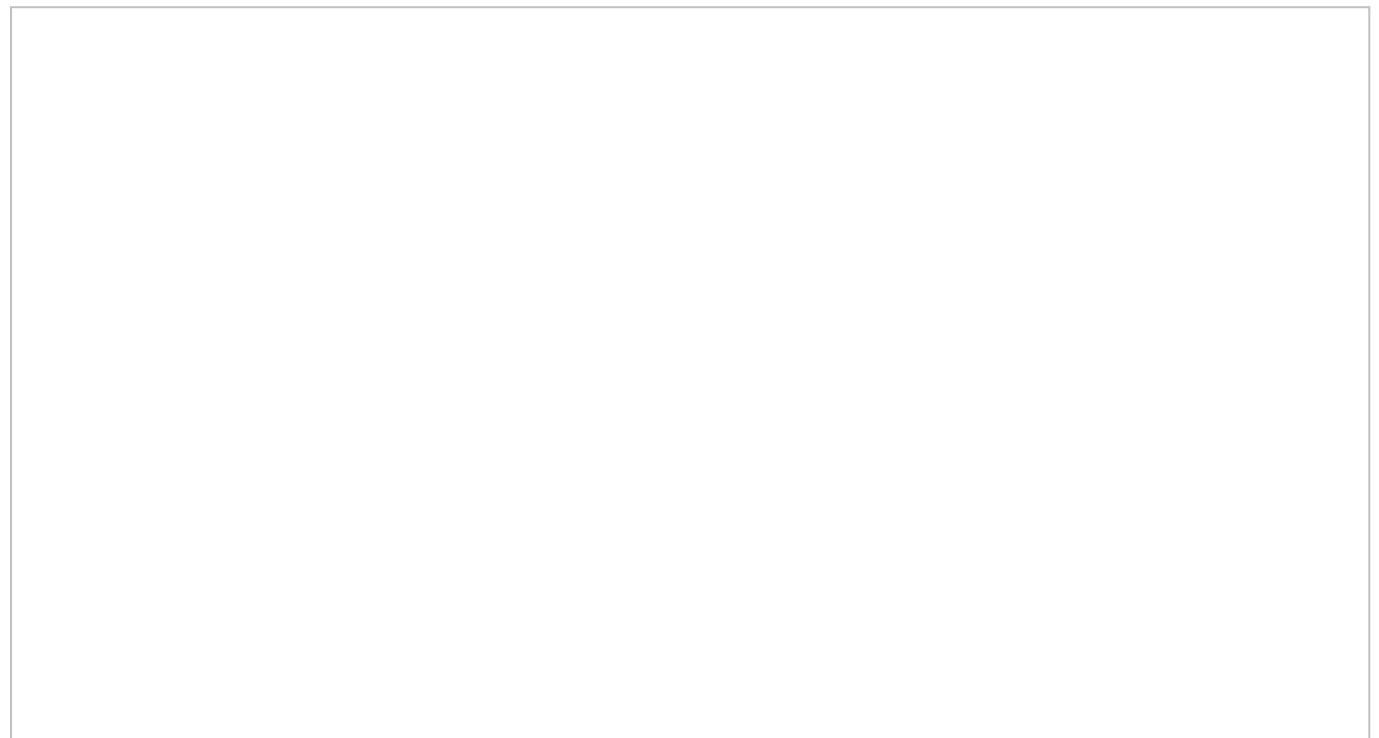
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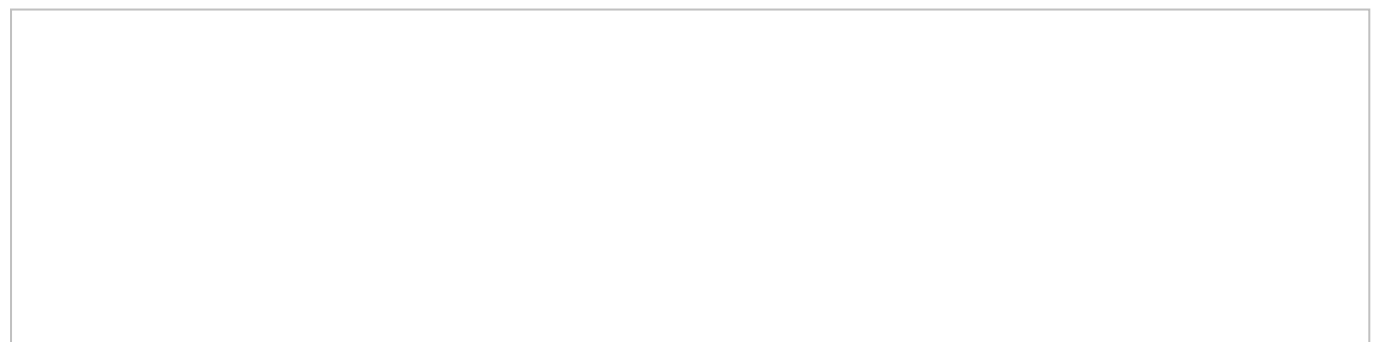
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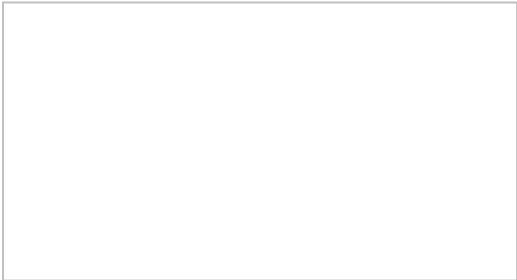


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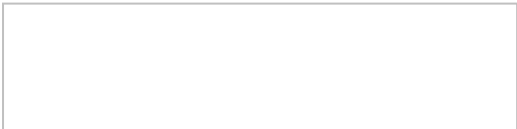
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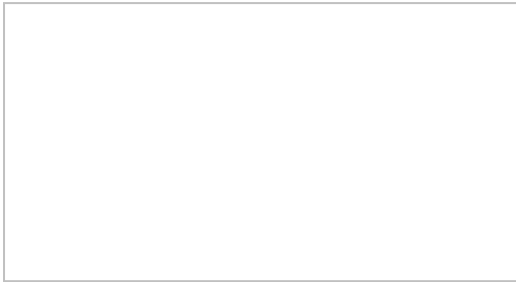
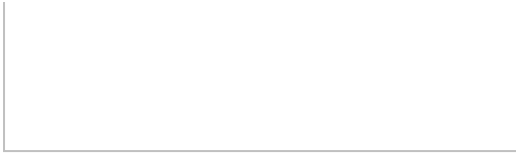
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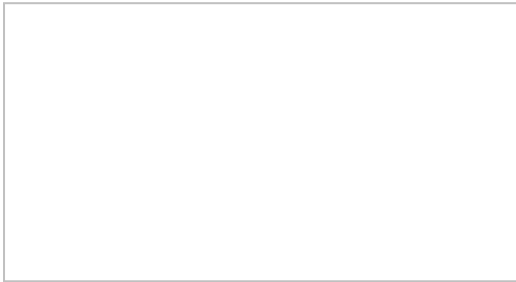
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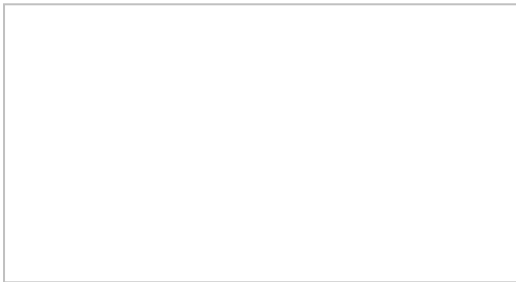
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