

Case Summary: *Barnes v. Felix*, No. 23–1239 (U.S. May 15, 2025)

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On April 28, 2016, law enforcement officer Roberto Felix Jr. stopped Ashtian Barnes on the Sam Houston Tollway for suspected toll violations.¹ After approaching the car, Felix requested documentation, and Barnes began searching for it. Because the car was a rental in his girlfriend’s name, Barnes could not produce the required documentation.² He then suggested to Felix that it might be in the trunk. Without exiting the vehicle, Barnes opened the trunk, turned off the engine, and “turn[ed] off the ignition.”³ Then, “Felix told Barnes to get out of the car[, and] Barnes opened the door but did not exit; instead, he turned the ignition back on.”⁴ “[A]s the car began to move forward, [Felix] jumped onto [the car’s] doorsill.”⁵ Unable to see inside the vehicle, he placed his gun near or against Barnes’s head and fired two shots.⁶ Barnes was pronounced dead at the scene shortly thereafter.⁷

¹ *Barnes v. Felix*, No. 23–1239, slip op. at 1–2 (U.S. May 15, 2025) (“On the afternoon of April 28, 2016, Roberto Felix, Jr., a law enforcement officer patrolling a highway outside Houston, received a radio alert about an automobile on the road with outstanding toll violations. Felix soon spotted the car, a Toyota Corolla, and turned on his emergency lights to initiate a traffic stop. The driver, Ashtian Barnes, pulled over to the highway’s shoulder.”).

² *Id.* at 2 (“Parking his own car just behind, Felix walked to the Corolla’s driver-side door and asked Barnes for his license and proof of insurance. Barnes replied that he did not have his license with him, and that the car was a rental in his girlfriend’s name. As he spoke, Barnes rummaged through some papers inside the car, causing Felix to tell him several times to stop ‘digging around.’”).

³ *Id.* at 2 (“Barnes responded that he might have some identification in the trunk. So Felix told him to open the trunk from his seat. Barnes did so, while also turning off the ignition.”).

⁴ *Id.* at 2 (“With his right hand resting on his holster, Felix told Barnes to get out of the car. Barnes opened the door but did not exit; instead, he turned the ignition back on.”).

⁵ *Id.* at 2 (“Felix unholstered his gun and, as the car began to move forward, jumped onto its door sill.”).

⁶ *Id.* at 2 (“And with no visibility into the car (because his head was above the roof), [Felix] fired two quick shots inside.”).

⁷ *Id.* at 2–3 (“Felix then radioed for back-up. By the time it arrived, Barnes was dead. . . . All told, about five seconds elapsed between when the car started moving and when it stopped. And within

Barnes’s parents sued Felix and Harris County, alleging a violation of Barnes’s Fourth Amendment right against excessive force. The district court granted summary judgment, finding that Barnes posed a serious threat to Felix when the car began to move, and thus Felix’s actions were not excessive. Applying the Fifth Circuit’s “moment of threat” doctrine, the court evaluated the claim solely on the precise moment Felix perceived danger.⁸ Barnes’ parents appealed on behalf of his estate, but the Fifth Circuit affirmed the district court’s ruling, concluding that Felix could have reasonably believed his life was in danger when the car began moving.⁹ The estate then successfully petitioned the U.S. Supreme Court for certiorari.

The Supreme Court unanimously reversed the lower court rulings in favor of Ashtian Barnes’ parents. The Court held that excessive force claims under the Fourth Amendment must be evaluated under the “totality of the circumstances,” an inquiry that is not confined to the instant an officer perceives a threat.¹⁰ Writing for the Court, Justice Elena Kagan reaffirmed the standard set forth in *Graham v. Connor*, 490 U.S. 386 (1989), which requires that an officer’s use of deadly force be “objectively reasonable” under the Fourth Amendment.¹¹ This inquiry demands attention to the

that period, two seconds passed between the moment Felix stepped on the doorsill and the moment he fired his first shot.”).

⁸ *Id.* at 3–4. (“The District Court identified that moment as ‘the two seconds before Felix fired his first shot,’ when he was standing on the doorsill of a moving vehicle. . . . At that moment, the court found, an officer could reasonably think himself ‘at risk of serious harm.’”).

⁹ *Id.* at 3 (“The Court of Appeals affirmed, explaining that it too was ‘[b]ound’ by ‘this Circuit’s moment of threat doctrine.’”).

¹⁰ *Id.* at 5 (“Today, we reject that approach as improperly narrowing the requisite Fourth Amendment analysis. To assess whether an officer acted reasonably in using force, a court must consider all the relevant circumstances, including facts and events leading up to the climactic moment.”).

¹¹ *Id.* at 5–6 (citing *Graham v. Connor*, 490 U.S. 386, 396–97 (1989)) (“A police officer’s use of deadly force violates the Fourth Amendment when it is not ‘objectively reasonable.’ And that inquiry into reasonableness, we have held, requires assessing the ‘totality of the circumstances.’”).

circumstances leading up to the use of force, not merely the final seconds of the encounter.¹² The Fifth Circuit’s “moment of threat” doctrine improperly restricted the analysis to the two seconds during which Felix was standing on the vehicle’s doorsill, excluding consideration of the preceding events which were necessary for a full reasonableness inquiry.¹³

Justice Kavanaugh filed a concurring opinion, joined by Justices Thomas, Alito, and Barrett. While agreeing that the officer’s actions must be assessed based on the totality of the circumstances, the concurrence emphasized the inherent dangers of traffic stops for law enforcement officers.¹⁴ Citing *Lange v. California*, 594 U. S. 295 (2021), Justice Kavanaugh observed that a suspect’s flight during a stop for a minor offense “could well be indicative of a larger danger.”¹⁵ He further explained that if a driver suddenly speeds off during a traffic stop, the officer is left with no safe choice. Every option carries risks to the public, forcing the officer to make a split-second, high-stakes decision under intense pressure.¹⁶ The concurrence urged lower

¹² *Id.* at 5–6 (“[D]eciding whether a use of force was objectively reasonable demands ‘careful attention to the facts and circumstances’ relating to the incident, as then known to the officer.”).

¹³ *Id.* at 7 (“The moment-of-threat rule applied in the courts below prevents that sort of attention to context, and thus conflicts with this Court’s instruction to analyze the totality of the circumstances. . . . A court deciding a use-of-force case cannot review the totality of the circumstances if it has put on chronological blinders.”)

¹⁴ *Id.* at 1 (Kavanaugh, J., concurring) (“I agree that the officer’s actions during the traffic stop in this case should be assessed based on the totality of the circumstances. I write separately to add a few points about the dangers of traffic stops for police officers, particularly when, as here, the driver pulls away in the midst of the stop.”).

¹⁵ *Id.* at 4 (Kavanaugh, J., concurring) (“[T]he very ‘fact that a suspect flees when suspected of a minor offense’ ... ‘could well be indicative of a larger danger.’”).

¹⁶ *Id.* at 6 (Kavanaugh, J., concurring) (“The point here is that when a driver abruptly pulls away during a traffic stop, an officer has no particularly good or safe options. None of the options available to the officer avoids danger to the community, and all of them require life-or-death decisions that must be made in a few seconds in highly stressful and unpredictable circumstances.”).

courts to remain attentive to the real-world risks officers face when reviewing excessive force claims under the totality of the circumstances.

This decision represents a significant step in clarifying the framework for evaluating police use of deadly force. By rejecting the “moment of threat” doctrine, the Court has unified federal doctrine regarding excessive force claims and ensured that courts across the country will apply a consistent standard. In doing so, the Court reaffirmed the balance required under the Fourth Amendment: protecting individual constitutional rights while recognizing the practical realities of effective law enforcement.