

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORT DIVISION

MANUEL MATA,

Plaintiff,

v.

MATTHEW KRUEGER,

Defendant.

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CIVIL ACTION NO. 4:26-CV-120-Y

**DEFENDANT’S EMERGENCY MOTION TO STAY CASE
AND BRIEF IN SUPPORT THEREOF**

TO THE HONORABLE JUDGE OF SAID COURT:

Defendant Matthew Krueger files this his Emergency Motion to Stay Case, and would respectfully show unto the Court as follows:

I. SUMMARY

Two of Plaintiff Manuel Mata’s related underlying criminal cases remain pending and unresolved. In other words, much of the subject matter of this civil action is currently being litigated in related state criminal cases pending against Plaintiff arising from the same police encounter and resulting arrest that Plaintiff contests in this case. This case, therefore, should immediately be stayed until Plaintiff’s related criminal cases are resolved.

II. BACKGROUND

On February 4, 2024, at approximately 1:30 a.m., Plaintiff Manuel Mata, walking in the West 7th Street entertainment district in Fort Worth, caught the attention of officers assigned to patrol that area and deal with the multitude of problems that routinely occur as bars begin closing in the early morning hours. *See App.* at 8. Among other things, Mata eventually walked into the busy street

where a sidewalk was provided. *Id.* That is a crime in Texas. *See* Tex. Transp. Code § 552.006. Officers decided to stop Mata for that violation. *Id.* Instead of stopping and following orders, Mata initially kept walking and eventually refused further commands, which together constituted evading arrest, and he later refused to identify himself. *Id.* Officers charged Mata with those three crimes: (1) Walking in a road where a sidewalk is provided, a Class C misdemeanor prosecuted in the City of Fort Worth Municipal Court (App. at 1-3); (2) Failure to Identify, Tex. Pen. Code § 38.02(a), a Class C misdemeanor prosecuted in the City of Fort Worth Municipal Court (App. at 4-6); and (3) Evading Arrest or Detention, Tex. Pen. Code § 38.04, at least a Class A misdemeanor prosecuted in County Court (App. at 7-9).

Upon Plaintiff's arrest, a state magistrate found that probable cause existed for the evading arrest charge and signed a commitment order, and Plaintiff was issued citations for the two Class C charges. As Plaintiff alleges, the evading charge was eventually dismissed based on prosecutorial discretion. But the two Class C criminal charges remain pending. The cases have been set for hearings and trials on multiple occasions but Mata has failed to appear and on information and belief was eventually arrested on warrants issued by the municipal judge. Plaintiff now, however, is represented in his Class C criminal cases by Mark Streiff, his lead counsel in this civil action. Those cases are now set for an attorney plea docket to take place on August 27, 2026. App. at 3, 6.

In this civil action, Plaintiff Mata challenges the basis for his stop, detention, and arrest. *See* Pl. FAC at 2, 5 (denying he was walking in the street); at 6 (denying he resisted arrest); at 7 (denying officers had probable cause to arrest him); at 17, ¶ 112 ("Defendant lacked any probable cause that Mr. Mata had committed any offense."); at 21, ¶ 149 ("No probable cause supported this arrest.").

Plaintiff knows the two Class C charges are still pending as his own attorney in this civil action represents him in those two criminal cases.

III. ARGUMENT & AUTHORITIES

A. This case should be stayed (or dismissed).

Plaintiff sues herein for, among other things, false arrest, claiming that when he was arrested on February 4, 2024, “he had engaged in no conduct which supported a jaywalking [sic] charge, fleeing arrest, nor did any conduct support even a reasonable suspicion to detain Plaintiff.” Pl. FAC at 17, ¶ 110. Yet, criminal charges are pending that suggest the opposite. In other words, Plaintiff is essentially challenging in this civil court the basis and legality of his pending state criminal charges.

According to the Supreme Court, “If a plaintiff files a false-arrest claim before he has been convicted (or files any other claim related to rulings that will likely be made in a pending or anticipated criminal trial), it is within the power of the district court, and in accord with common practice, to stay the civil action until the criminal case or the likelihood of a criminal case is ended.” *Wallace v. Kato*, 549 U.S. 384, 393–94 (2007) (citing *Heck v. Humphrey*, 512 U.S. 477, 487 (1994)).

Courts in this circuit routinely follow that admonition. *See, e.g., Jones v. Madhwani*, No. 4:25-CV-648-P, 2026 WL 815694, at *1 (N.D. Tex. Feb. 18, 2026), *report and recommendation adopted sub nom. Jones v. Officer FNA Madhwani*, No. 4:25-CV-648-P, 2026 WL 813904 (N.D. Tex. Mar. 24, 2026) (“the Court FINDS and CONCLUDES that a stay for the entire case is appropriate as Plaintiff’s civil claims against Defendants could necessarily imply the invalidity of a future criminal conviction.”); *Nix v. Martin*, No. 4:25-CV-01362-O-BP, 2026 WL 1391892, at *1 (N.D. Tex. Apr. 15, 2026), *report and recommendation adopted*, No. 4:25-CV-01362-O-BP, 2026

WL 1390855 (N.D. Tex. May 18, 2026) (“Courts in the Fifth Circuit generally stay a case when a plaintiff files suit under 42 U.S.C. § 1983 based on claims that are ‘related to rulings that will likely be made in a pending criminal trial until the criminal case has ended.’” (cleaned up)); *Wilcox v. City of Melissa, et al.*, 4:26-cv-00071-JDK-JDL, ECF No. 4 (Jan. 21, 2026) (Def. App. 6) (*sua sponte* order staying and administratively closing case, holding, “Accordingly, the United States Court of Appeals for the Fifth Circuit has held that when a plaintiff files a civil rights lawsuit covering the same subject matter as state court criminal charges that are pending against him, the federal district court should stay the civil rights lawsuit until the criminal charges are resolved. . . . This case must, therefore, be stayed until the pending criminal charge is resolved.”) (citing *Profit v. Ouachita Par.*, 411 F. App'x 708, 709 (5th Cir. 2011) (“the district court correctly stayed the proceedings in this civil action pending the resolution of the criminal charges against Profit”)); *Woods v. Houston Police Dep't*, No. CV H-24-722, 2024 WL 1185125, at *5 (S.D. Tex. Mar. 19, 2024) (“In this situation, the proper procedure is for the court to stay the civil rights action until the state-court proceedings have concluded.”); *Hunter v. Watkins*, No. 3:14-CV-1817-B, 2015 WL 104981, at *3 (N.D. Tex. Jan. 6, 2015) (“the Court may not consider Plaintiff's claims of wrongdoing in connection with his pending case until the charges are disposed of . . .”).

Here, Plaintiff's challenge in this civil action to the legality of the very basis for his stop, detention, and arrest on February 4, 2024, plainly and necessarily “relate[] to rulings that will likely be made in [his] pending or anticipated criminal trial[s].” Accordingly, the Court should promptly stay this action until the above-mentioned criminal charges against Plaintiff are resolved, if ever, in Plaintiff's favor.

IV. CONCLUSION AND PRAYER

WHEREFORE, PREMISES CONSIDERED, Defendant respectfully asks that the Court immediately stay and administratively close this case pending resolution of the above-described criminal charges pending against Plaintiff.

Respectfully submitted,

s/ Kenneth E. East

Kenneth E. East

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CERTIFICATE OF CONFERENCE

On August 6, 2026, I attempted to confer with counsel via email and phone. As of this filing the messages had not been returned. It is, therefore, assumed that the motion is opposed.

s/ Kenneth E. East

Kenneth E. East

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ORDER

Defendant Matthew Krueger has filed his Emergency Motion to Stay Case. ECF No. _____. Having considered the motion, the Court finds that the motion to stay should be and hereby is GRANTED.

The Court therefore ORDERS that this case is STAYED and ADMINISTRATIVELY CLOSED pending resolution of Plaintiff's pending state criminal cases referenced in the motion. Further, it is ORDERED that Plaintiff, within 15 days after receiving notice that the criminal cases have been resolved, shall notify this court of the outcome of the criminal cases and, if appropriate, move to reopen this case. Further, it is ORDERED that Plaintiff shall provide this court with status updates regarding the progress of the criminal case every 90 days, beginning 30 days from entry of this order. The failure to comply with any requirement of this order may result in the dismissal of the case.

SO ORDERED this _____ day of _____, 2026.

TERRY R. MEANS
UNITED STATES DISTRICT JUDGE