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10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**
12 **WESTERN DIVISION**
13

14 UNITED STATES OF AMERICA,
15 Plaintiff,
16 v.
17 ISAIAS LOPEZ,
18 Defendant.
19

Case No. 2:25-cr-00705-MEMF

**DEFENDANT'S OPPOSITION TO
GOVERNMENT'S MOTION *IN*
LIMINE #3 TO PRECLUDE
EVIDENCE OF ARREST**

Hearing Date: November 5, 2025
Hearing Time: 3:00 p.m.
Hon. Maame Ewusi-Mensah Frimpong

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1 Defendant Isaias Lopez, by and through his undersigned counsels of record,
2 Rebecca M. Abel and Kyra Nickell, hereby opposes the government’s motion *in limine*
3 to preclude irrelevant and prejudicial evidence regarding Mr. Lopez’ arrest in this case
4 (Dkt. No. 32).

5 This motion is based on the attached memorandum of points and authorities, the
6 attached exhibits, all files and records in this case, and any argument presented at any
7 hearing on this matter.

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9 Respectfully submitted,
10 CUAUHTEMOC ORTEGA
11 Federal Public Defender

12 DATED: October 30, 2025

By /s/ Rebecca Abel

13 REBECCA M. ABEL
14 KYRA NICKELL
15 Deputy Federal Public Defenders
16 Attorney for ISAIAS LOPEZ
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1 **MEMORANDUM OF POINTS AND AUTHORITY**

2 **I. INTRODUCTION**

3 In the second immediately after the alleged assault occurred, Inspector Leo Ranjo
4 admits he “lunged at” Mr. Lopez, “grabbed his left arm and began pulling him towards”
5 the Inspector. (Ex. A.) Inspector Ranjo pulled Mr. Lopez by the left arm several feet
6 and then pushed him down onto the pavement.¹ Then, four officers, including
7 Inspector Ranjo, stand or lie on top of him, holding his arms, legs, and neck down on
8 the pavement.² One officer yanks violently at his right arm, while Inspector Ranjo
9 forcefully bends Mr. Lopez’ knees, holding him in a hog-tie position while his face is
10 pressed into the floor and his arms are being cuffed.³ At that point, the officers sit Mr.
11 Lopez up, and then stand him up.⁴ Inspector Ranjo was not done. Ranjo continues to
12 scream in Mr. Lopez’ face, while Mr. Lopez is handcuffed, first putting his finger in his
13 face, and then pushing Mr. Lopez’ face. Inspector Ranjo is so enraged that another
14 officer has to push him back and calm him down.⁵ During the arrest, Mr. Lopez is
15 injured by the officers, causing the below cut to Mr. Lopez’ hand:



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25 ¹ <https://www.youtube.com/watch?v=Su6b3UMYTms> at 00:09 to 00:15.

² *Id.* at 00:16 to 00:35; *see also* <https://www.instagram.com/p/DNHpr-VO6vR/>.

26 ³ <https://www.youtube.com/watch?v=Su6b3UMYTms> at 00:32 to 00:53; *see*
27 Exhibit B, produced in discovery without Bates stamp on October 1, 2025, at 04:39 to
05:15.

28 ⁴ Ex. B at 05:15 to 05:43.

⁵ *See* <https://www.instagram.com/p/DNHpr-VO6vR/>.

1 The government seeks to exclude the above evidence, all of which occurred
2 within 1 minute of the alleged assault. This includes the video footage the government
3 itself produced. The government may not like that the officers engaged in excessive,
4 unjustified force, but that is not a reason to try to hide this information from the jury.
5 Rule 401 and 403 do not preclude its admission. The evidence is highly relevant to
6 Officer Ranjo’s credibility and to Mr. Lopez’ defense, and any prejudice caused by the
7 officers own action must be borne by the them, not by Mr. Lopez. The evidence must
8 be admitted.

9 **II. ARGUMENT**

10 **A. Evidence of Mr. Lopez’ arrest and his interactions with Inspector Ranjo**
11 **are relevant.**

12 Rule 401 permits the introduction of evidence “having *any* tendency to make the
13 existence of any fact that is of consequence to the determination of the action more
14 probable or less probable than it would be without the evidence” (emphasis added).
15 Evidence that does not meet this definition is inadmissible. Fed. R. Evid. 402.
16 However, Rule 401 sets a very low threshold for admissibility in framing the bar as
17 “any tendency,” rather than a specific, concrete, or direct “tendency.” That is because
18 the Court must be careful to allow the jury, and not the parties, to act as the final arbiter
19 of fact.

20 The government claims that Mr. Lopez intentionally assaulted Inspector Ranjo
21 when he “struck Officer L.R. with his camera and then pushed him in the chest.” Dkt.
22 32 at 2. The defense disputes this. Thus, whether Mr. Lopez intentionally inflicted
23 injury on Inspector Ranjo is a question of fact for the jury. The defense will also argue
24 that any actions Mr. Lopez took were in response to Ranjo’s use of force, or excessive
25 force, were in self-defense.

26 The fact that Inspector Ranjo used excessive force in arresting Mr. Lopez is
27 relevant to the defense’s theory that Inspector Ranjo was acting out of anger, not duty,
28 and targeted Mr. Lopez because he did not want to be photographed. Thus, the

1 excessive force nature of the arrest is relevant here because it shows that Ranjo was
2 reacting in retaliation against Mr. Lopez and engaged in a *pattern* of excessive force
3 from the moment of first encounter until the very end. The evidence in dispute is, thus,
4 relevant for at least three important reasons.

5 **First**, it is relevant to bias and credibility. The fact that Inspector Ranjo engaged
6 in excessive force against Mr. Lopez gives him an incentive to lie, including regarding
7 whether Mr. Lopez or Inspector Ranjo acted first. Inspector Ranjo has an interest in
8 framing Mr. Lopez as the aggressor because a finding of excessive, unlawful force can
9 subject him to workplace discipline, social opprobrium, and liability. Because Ranjo’s
10 testimony will form the basis of the government’s case, Mr. Lopez must be allowed to
11 undermine his and the other officers’ credibility, including with evidence that they have
12 a motive to lie to justify their unlawful actions.

13 **Second**, the evidence is relevant because it supports Mr. Lopez’ defense that
14 Inspector Ranjo attacked him first. A jury can infer from the fact that Ranjo used
15 excessive, unlawful force when arresting Mr. Lopez that he was willing to use such
16 force from the onset as the initial aggressor. The government may disagree with that
17 inference, but the government is not the finder of fact. It is common sense that video
18 showing Inspector Ranjo applying excessive force to Mr. Lopez in the seconds
19 immediately after the assault has a “tendency” to show he applied the similar unlawful
20 force on first contact.

21 Additionally, in a recent Supreme Court case — although not a criminal case like
22 this but in a directly analogous context of police/citizen confrontation, the Court
23 unanimously held in a 1983 case that the reasonableness of an officer’s use of force
24 cannot be viewed in an isolated moment. *Barnes v. Felix*, 605 U.S. 73 (2025). More
25 specifically, courts must consider “all the relevant circumstances” to evaluate whether
26 an officer’s use of force is reasonable. *Id.* at 76. A court deciding a use-of-force case,
27 the court concluded, “cannot review the totality of the circumstances if it has put on
28 chronological blinders.” *Id.* at 82. Similarly here, the government cannot place

1 “chronological blinders” on the jury, preventing them from seeing what happened in
2 the seconds immediately after the alleged assault in order to protect Inspector Ranjo
3 from being forced to justify his post-assault actions.

4 Finally, the video of Mr. Lopez’ arrest refutes the government and Inspector
5 Ranjo’s false factual claims and is essential for impeachment. In its motion, the
6 government claims that Mr. Lopez “resisted” arrest. (Dkt. No. 32 at 2.) The videos of
7 Mr. Lopez’ arrest show that Mr. Lopez is not resisting. He, in fact, cannot resist
8 because, as the videos show, he is being swarmed by four federal officers who are
9 larger than him in height and build, equipped with riot gear, and pressing all of their
10 weight on top of him. (*See supra* fns. 1-5.) Additionally, Inspector Ranjo claims in his
11 signed statement that “due to the density of the crowd surrounding us, we all fell to the
12 ground simultaneously.” (Ex. A at 06.) The video evidence shows something very
13 different: Inspector Ranjo pulled Mr. Lopez by the arm for several feet and then onto
14 the ground with at least 3 additional officers piling on top of them. The video evidence
15 of the arrest is relevant and admissible to impeach the lies in Inspector Ranjo’s signed,
16 written statement prepared the day after the alleged offense.

17 **B. The arrest is not unfairly prejudicial, nor is it confusing, nor will it**
18 **waste time.**

19 Rule 403 provides that “[t]he court may exclude relevant evidence if its probative
20 value is substantially outweighed by danger of one or more of the following: unfair
21 prejudice, confusing the issues, misleading the jury, undue waste of time, or needlessly
22 presenting cumulative evidence.” Fed. R. Evid. 403.

23 It is understandable why the government does not want the jury to see evidence
24 of Inspector Ranjo and his colleagues unlawful arrest of Mr. Lopez, it hurts their case;
25 but that does not make this relevant evidence “unfairly prejudicial.” Rather, it makes it
26 all the more relevant and important.

27 As the Ninth Circuit has repeatedly held when the government seeks admission,
28 over the defense’s Rule 403 objections, “[t]he circumstances surrounding [the

1 defendant]’s arrest were properly ruled admissible by the trial judge.” *United States v.*
2 *Epperson*, 528 F.2d 48, 50 (9th Cir. 1975).

3 To the extent the Court is concerned about unfair prejudice, there are alternative
4 approaches it should take instead of exclusion. First, the Court will, at the parties’
5 request, already be instructing the jury to set aside emotion and bias when deliberating.
6 Rather than exclude the evidence, the Court can invite the government to propose
7 additional limiting instructions to address its (unfounded) concerns. Second, the Court
8 can allow the government to elicit context for the video footage from its witnesses,
9 namely Inspector Ranjo. If the witnesses did nothing wrong, they should have no
10 trepidation about explaining their actions and no unfair prejudice could ensue.

11 The other Rule 403 reasons for exclusion cited by the government are nonsense.
12 The short video footage of the post-arrest conduct (which totals less than 1 minute) is
13 not going to unduly waste any time, confuse the issues, or mislead the jury. To the
14 contrary, cutting off the video at an arbitrary point will leave the jury questioning, what
15 happened next? To the extent the government is genuinely concerned about such
16 issues, it can submit limiting instructions for the Court to review and deliver at the time
17 the evidence is received.

1 **III. CONCLUSION**

2 For the foregoing reasons, the defense respectfully requests that the Court deny
3 the government's motion.

4 Respectfully submitted,

5 CUAUHTEMOC ORTEGA
6 Federal Public Defender

7 DATED: October 30, 2025

By /s/ Rebecca Abel

8 REBECCA M. ABEL
9 KYRA NICKELL
10 Deputy Federal Public Defenders
11 Attorney for ISAIAS LOPEZ
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