

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

EDWARD A. CANIGLIA,  
Plaintiff

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v.

ROBERT F. STROM as the Finance Director of  
THE CITY OF CRANSTON, et al.  
Defendants

C.A. No. 15-525

**PLAINTIFF’S MOTION FOR PARTIAL SUMMARY JUDGMENT**

Pursuant to F.R.Civ.P. 56, moves for partial summary judgment. Plaintiff alleges that Defendants unlawfully seized his firearms and required him to have a psychological evaluation because he made a supposedly suicidal statement and action. Plaintiff moves for partial summary judgment on Count III (Violation of Plaintiff’s Rights Under the Fourth Amendment and Art. 1, Sec. 6 of the Rhode Island Constitution), Count IV (Violation of Plaintiff’s Due Process), Count VI (Violation of the Rhode Island Mental Health Law), Count VII (Trove and Conversion), as well as on several of Defendants’ various “affirmative defenses,” including “absolute and qualified immunity” (First Affirmative Defense), and “statutory and common law immunity” (Second Affirmative Defense. In addition, Defendants have asserted the “Community Caretaking Function” as a defense to Plaintiff’s claims in answers to interrogatories and at deposition. To the extent Defendants intend this “Function” as an additional defense, Plaintiff moves for summary judgment on it, as well.

Plaintiff relies on the accompanying Statement of Undisputed Facts and his Memorandum in support of this Motion.

**EDWARD CANIGLIA**

By his attorneys,

/s/ Thomas W. Lyons

Thomas W. Lyons #2946

Rhiannon S. Huffman #8642

RHODE ISLAND AFFILIATE,  
AMERICAN CIVIL LIBERTIES UNION

Strauss, Factor, Laing & Lyons

One Davol Square, Suite 305

Providence, RI 02903

(401) 456-0700

[tlyons@straussfactor.com](mailto:tlyons@straussfactor.com)

**CERTIFICATION**

I hereby certify that on December 17, 2018, a copy of the foregoing was filed and served electronically on all registered CM/ECF users through the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF system.

/s/ Thomas W. Lyons