

# **Bond Case Briefs**

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## **NEGLIGENCE - CALIFORNIA**

### **Bakos v. Roach**

**Court of Appeal, Third District, California - January 29, 2025 - Cal.Rptr.3d - 2025 WL 322879**

Owner brought action against humane society, two humane officers, individually and on behalf of humane society, and volunteer veterinarian, for negligence and abuse of process, after officers seized owner's dogs, chickens, roosters, and goose, pursuant to search warrant issued under animal protection law.

The Superior Court granted summary judgment in favor of defendants. Owner appealed.

The Court of Appeal held that:

- Triable issues of material fact as to whether owner was injured precluded summary judgment on negligence claims against humane society and humane officers;
- Veterinarian was not liable for negligence;
- None of the defendants were liable for abuse of process; and
- Officers were not entitled to discretionary immunity.