

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 24-1934

TED ACORD, as Administrator of the Estate of Michael Acord,

Plaintiff – Appellant,

v.

CHAD STILLEY,

Defendant – Appellee.

Appeal from the United States District Court for the Western District of Virginia, at
Roanoke. Elizabeth K. Dillon, Chief District Judge. (7:22-cv-00284-EKD-CKM)

Argued: May 6, 2025

Decided: June 6, 2025

Amended June 6, 2025

Before KING, THACKER, and BERNER, Circuit Judges.

Affirmed by unpublished per curiam opinion.

ARGUED: Seth Raven Carroll, COMMONWEALTH LAW GROUP, PLLC, Richmond, Virginia, for Appellant. Jeremy E. Carroll, SPILMAN THOMAS & BATTLE, PLLC, Roanoke, Virginia, for Appellee. **ON BRIEF:** Julian F. Harf, SPILMAN THOMAS & BATTLE, PLLC, Roanoke, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

In this appeal from the Western District of Virginia, plaintiff Ted Acord, as Administrator of the Estate of Michael Acord, challenges the district court’s award of summary judgment to defendant Chad Stilley, a police officer with the Town of Narrows, Virginia. See Memorandum Opinion, *Acord v. Stilley*, No. 7:22-cv-00284 (W.D. Va. Sept. 20, 2024), ECF No. 62 (the “Summary Judgment Opinion”).* Ted Acord filed this civil action pursuant to 42 U.S.C. § 1983, alleging that Stilley used excessive force in violation of the Fourth Amendment, in that Stilley caused a fatal collision with Michael Acord, who was fleeing westbound through Stilley’s bailiwick — the Town of Narrows — on his motorcycle at a high rate of speed, by moving the police vehicle in which he sat into the public highway — that is, U.S. Route 460 — and blocking all lanes of escape. Acord also raised a claim of battery under Virginia state law.

The court granted summary judgment to Stilley on both claims, concluding that he was entitled to qualified immunity on the federal claim and good-faith immunity under Virginia law on the state law claim. On appeal, Acord argues that Stilley’s conduct violated Michael’s clearly established constitutional rights and that the court therefore erred in awarding summary judgment in Stilley’s favor on both the federal and state law claims.

Having carefully assessed the record and the parties’ briefs, and with the benefit of oral argument, we are satisfied that the district court did not err in determining that Stilley

* The district court’s Summary Judgment Opinion is published at 749 F. Supp. 3d 635 (W.D. Va. 2024).

was entitled to qualified immunity as to Acord's § 1983 claim asserting a Fourth Amendment violation. *See Somers v. Devine*, 132 F.4th 689, 695 (4th Cir. 2025). We are also satisfied that the court correctly determined that Stilley was entitled to good-faith immunity as to Acord's state law battery claim. *See Amisi v. Brooks*, 93 F.4th 659, 674-75 (4th Cir. 2024) (recognizing "the Virginia's immunity doctrine is congruent with the federal qualified immunity defense" (internal quotation marks omitted)); *see also Wingate v. Fulford*, 987 F.3d 299, 312 (4th Cir. 2021). Indeed, we readily adopt the court's thorough and well-reasoned Summary Judgment Opinion. We therefore reject Acord's appellate contentions and affirm the final judgment of the district court. *See Acord v. Stilley*, No. 7:22-cv-00284 (E.D. Va. Sept. 20, 2024), ECF No. 63.

AFFIRMED