

#### Practice Areas

- Litigation

#### Education

- University of Houston, B.S., 1990
- South Texas College of Law, J.D., 2000

#### Honors

- Certificate of Commendation – United States Department of Justice
- Special Commendation – United States Attorney, Southern District of Texas
- Special Award Women's Resource & Crisis Center of Galveston County
- Galveston Rotary Club Police Officer of the Year 1994-1995
- Galveston Police Department Combat Cross
- Galveston Police Department Injured in Combat
- Galveston Police Department Education Award

#### Bar Admissions

- Texas

## Norman Ray Giles

Associate  
Houston

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Norman Ray Giles' practice focuses primarily on civil litigation matters involving governmental entities and public officials, the majority of which cases are heard in Federal courts. During the course of his legal career, Mr. Giles has represented more than 70 different governmental entities and handled more than 200 civil suits brought against governmental entities or public officials. He represents municipalities, counties and public officials, as well as school districts, mental health districts, housing districts and private businesses and individuals.

Prior to his legal career, Mr. Giles was a highly decorated law enforcement officer who rose to the rank of lieutenant in the City of Galveston Police Department. While in law enforcement, he served as an administrator, supervisor, investigator and patrol officer. He conducted hundreds of criminal investigations including many homicide investigations, and has testified as a fact witness and an expert on law enforcement-related issues before many courts and juries.

#### Case Studies

- In his representation of four municipal police officers from the Houston metro area in a federal civil rights lawsuit stemming from a police shooting, the Fifth Circuit Court of Appeals resolved an important legal issue in determining that a presiding Court must analyze each public official's conduct independently when evaluating the officials' entitlement to qualified immunity.
- In his representation of a police officer and chief of police from a police department in Jackson County in a federal civil rights lawsuit stemming from a police investigative detention during a child custody dispute, the Fifth Circuit Court of Appeals resolved an important legal issue in determining that injuries sustained by a detainee from application of handcuffs is generally insufficient to support a claim of excessive use of police force. The Court also determined that a claim of alleged unconstitutional arrest fails when a police officer detains an individual the officer reasonably believes is interfering with a parent's custody of a child.

### Court Admissions

- United States Supreme Court
- United States Court of Appeals for the Fifth Circuit
- United States District Courts of the Southern District of Texas
- United States District Courts of the Eastern District of Texas
- United States District Courts of the Western District of Texas
- United States District Courts of the Northern District of Texas
- Texas State Courts

## Norman Ray Giles, *Continued*

- In his representation of a police officer from a police department in Matagorda County in a federal civil rights lawsuit stemming from a police arrest after a brief vehicle pursuit, the Fifth Circuit Court of Appeals resolved an important legal issue in determining that a claim of unconstitutional arrest based on the manner in which an arrest was performed is the same as a claim for use of excessive force and not an independent claim of an unreasonable arrest. As such, probable cause to arrest a detainee precludes an additional claim of unconstitutional arrest even if an arresting officer is alleged to have used excessive force during the arrest.
- In a state tort lawsuit in which the plaintiff brought suit against a city in Brazoria County alleging a police detective used excessive force during an arrest and claiming the arrest was not supported by probable cause, the First District Court of Appeals resolved an important legal issue in determining there is no waiver of a city's governmental immunity even where the claim initially stems from a police officer's performance of duties on behalf of a private employer.
- In a state tort lawsuit against a city in Fort Bend County in which an arrestee died after being struck by a passing truck after the arrestee escaped from a police car while he was being transported to jail, the First District Court of Appeals resolved an important legal issue in determining there is no waiver of a governmental entity's immunity when an injury or death stems from an arrestee's flight from, as opposed to the operation or use of, a police vehicle.
- In a state tort lawsuit in which the plaintiff brought suit against a police officer from a police department in Brazoria County alleging he arrested the plaintiff without justification and used excessive force during the arrest, the First District Court of Appeals resolved an important legal issue in determining a Texas individual immunity statute bars claims against a public official when a plaintiff has asserted claims based upon the same subject matter against the official's governmental employer.
- In a state tort lawsuit against a city in Galveston County in which an arrestee was injured while seated in the back seat of a police vehicle when a private vehicle collided with the police vehicle, the Fourteenth District Court of Appeals resolved an important legal issue in determining there is no waiver of a governmental entity's immunity when an arrestee detained in a parked police car is injured in a collision with a private vehicle, even if the police car was negligently parked.

## Norman Ray Giles, *Continued*

- In a state tort lawsuit against a city and volunteer fire department in Liberty County in which a collision occurred between a vehicle driven by a private individual and a privately owned vehicle being driven by a volunteer firefighter responding to a different traffic accident scene, the Beaumont Court of Appeals determined there is no waiver of a governmental entity's immunity from suit based only upon the alleged negligence of a volunteer even when such volunteer is alleged to be under the supervision of a paid governmental worker and acting pursuant to an inter-local governmental agreement.
- In a state tort lawsuit against a mental health authority in which an individual claimed to have sustained an injury while cleaning a governmental office. The Corpus Christi Court of Appeals resolved an important legal issue in determining the proper manner in which to analyze whether a governmental entity has received sufficient notice of a claim to be subjected to liability on a personal injury claim.

### Significant Cases

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- *Meadours v. Ermel*, 483 F.3d 417 (5<sup>th</sup> Cir. 2007) – Federal civil rights claim of alleged police use of excessive force stemming from a police shooting.
- *Tarver v. City of Edna*, 410 F.3d 745 (5<sup>th</sup> Cir. 2005) – Federal civil rights claim of alleged unlawful arrest and police use of excessive force.
- *Flores v. City of Palacios*, 381 F.3d 391 (5<sup>th</sup> Cir. 2004) – Federal civil rights claim of alleged unlawful arrest and police use of excessive force.
- *Schauer v. Morgan*, 175 S.W.3d 397 (Tex.App.-- Houston [1<sup>st</sup> Dist.] 2005) – Claim of alleged assault stemming from an arrest.
- *City of Sugar Land v. Ballard*, 174 S.W.3d 259 (Tex.App.-- Houston [1<sup>st</sup> Dist.] 2005) Claim of alleged wrongful death when arrestee died attempting to escape from law enforcement officials.
- *Morgan v. City of Alvin*, 175 S.W.3d 408 (Tex.App.-- Houston [1<sup>st</sup> Dist.] 2004) – Claim of alleged municipal negligence stemming from an arrest.
- *City of Kemah v. Vela*, 149 S.W.3d 199 (Tex.App.-- Houston [14<sup>th</sup> Dist.] 2004) – Claim of alleged municipal negligence stemming from injury to detainee in a police vehicle.
- *City of Dayton v. Gates*, 126 S.W.3d 288 (Tex.App.-- Beaumont 2004) – Claim of alleged governmental negligence stemming from operation of an emergency vehicle.
- *Texana Community MHMR Center v. Silvas*, 62 S.W.3d 317 (Tex.App.-- Corpus Christi 2001) – Claim of injury allegedly caused by a premise defect.
- *Jones v. State*, 225 S.W.3d 772 (Tex.App.-- Houston [14<sup>th</sup> Dist.] 2007) – Criminal case in which conviction of serial sexual offender was upheld.
- *Wilson v. State of Texas*, 1999 WL 548641 (Tex.App.-- Houston [1<sup>st</sup> Dist.] 1999) – Criminal case in which conviction of individual charged with murder was upheld.

### News and Publications

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- Mr. Giles appears frequently in print and broadcast media venues by virtue of his former career in law enforcement as well as a result of the matters he handles in his legal practice.

## Norman Ray Giles, *Continued*

- Additionally, a criminal investigation he conducted was the subject of a story on *New Detectives*, a television series on the Discovery Channel.
- Named in 2007 a "Rising Star," as one of the top young lawyers in Texas, by *Law & Politics Media* and the publishers of *Texas Monthly* magazine

### Seminars & Presentations

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- *Legislative Privilege for Policy Makers*, State Bar of Texas Suing & Defending Governmental Entities Course, San Antonio, Texas, 2007
- *Claim Avoidance Strategies*, Texas Police Law Training Seminar, Houston, Texas, 2007
- *Governmental Entity Liability under 42 U.S.C. § 1983*, State Bar of Texas Suing & Defending Governmental Entities Course, San Antonio, Texas, 2006

### Professional Affiliations

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- Houston Bar Association
- Member, Board of Directors, North Shore Rotary Club
- Member, North Channel Area Chamber of Commerce
- Coach, Girls Youth Fast Pitch Softball Team

