

LOS ANGELES (CNS) - The man who was initially arrested -- but later cleared -- for the beating of San Francisco Giants fan Bryan Stow outside Dodger Stadium appealed a judge's dismissal of his civil rights lawsuit against the city and Los Angeles Police Chief Charlie Beck.

Giovanni Ramirez served 10 months behind bars for violating his parole following his May 2011 arrest in connection with the attack on Stow, a Santa Clara paramedic who was beaten into a coma in a Dodger Stadium parking lot on opening day two years ago.

Two other men -- Louie Sanchez and Marvin Norwood -- were eventually arrested and charged in connection with the Stow beating. They are both awaiting trial on charges of mayhem, assault and battery. Ramirez was exonerated, with Beck confirming that he had no involvement in the Stow beating.

In his complaint for damages, filed in Los Angeles federal court last September, Ramirez contended that Beck violated his civil rights, defamed him and made false and "malicious" statements about him to the media "with an evil motive or intent."

U.S. District Judge Gary A. Feess granted the city's motion to dismiss the lawsuit last month based on the fact that Ramirez was never criminally charged and therefore, suffered no violation of due process. Further, the court held that Ramirez's Fourth Amendment rights were not violated when his residence was searched because he was on parole and subject to search conditions.

"The City Attorney's Office will continue to defend the Los Angeles Police Department in its efforts to keep our streets safe," City Attorney Carmen Trutanich said. "This ruling affirms our position that the police acted appropriately in the course of this investigation."

Ramirez's appeal of the dismissal was filed with the U.S. 9th Circuit Court of Appeals last week.