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San Diego County will pay \$6.5M to man beaten by deputy and bitten by dog, ending decade of litigation

Mickail Myles won a jury verdict, but a federal appeals court reversed its \$5 million damages award. Now the county has settled with the former Camp Pendleton preschool teacher.



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It's been almost 12 years since Mickail Myles was seriously injured when a San Diego County sheriff's deputy with a troubled record sicced a police dog on him at a Fallbrook gas station.

That ignited a more than decade-long legal saga that ran [well past \\$10 million](#) in damages and attorney fees, before a federal appellate court sharply curtailed those costs last year.

On Monday, lawyers for the county and Myles notified the San Diego federal court that they had reached a deal to pay him and his attorneys a total of \$6.5 million, finally ending the fight.

The jointly-filed agreement formally waives any future claims. It calls for county taxpayers to pay \$3 million by March 2 and the remaining \$3.5 million by July 15.

"Notice is hereby given that the parties hereto have stipulated and agreed that in resolution of all outstanding issues, rights, claims and controversies between the parties regarding the judgment, including and and all interest, attorneys' fees and costs owed," the filing says.

The settlement is the latest in a string of high-profile, multimillion-dollar payouts by San Diego County to people who accused the Sheriff's Office of negligence, excessive force and other misconduct.

In the past 10 years, that office alone has paid more than a quarter billion dollars to families of people who died or suffered other damage at the hands of sheriff's deputies and other staff.

Linda Workman, one of several lawyers who represented Myles in the initial case and through the appeal, credited her client for persevering in his suit over many years.

"Mickail Myles was so wonderful and patient this whole entire time as we went through the trial process, up on appeal at the 9th Circuit and then back," she said.

She also noted that the settlement came just days after former Damon Brown, a former state assistant attorney general, took over as the new county counsel.

"We hope that the appointment of a new county counsel and the Board of Supervisors vote approving this settlement is really a sign of new leadership at the county — leaders who will take seriously the duty that is ensuring their police practices are accountable," she said.

A county spokesperson acknowledged the settlement but did not otherwise respond to a request for comment Monday.

Myles was 26 and a Camp Pendleton preschool teacher in 2014 when he was pulled over at a Fallbrook-area gas station by sheriff's deputies investigating a nearby burglary.

He is Black, and the deputy subsequently accused of using excessive force is white.

Within minutes of the encounter, Myles was handcuffed and beaten about the head, even though other deputies later testified he was being cooperative. Then-deputy Jeremy Banks then sicced his dog on Myles, who was bitten several times and suffered significant injuries.

The civil-rights lawsuit filed in 2015 accused sheriff's deputies of improper use of force.

Lawyers defending the county later were determined by the judge to have acted in "bad faith" for wrongly delaying and withholding evidence — including at least 17 accusations of excessive force previously racked up by Banks.

Before the case went to trial, a federal judge twice sanctioned county lawyers for violating the rules of discovery, the pretrial process during which plaintiffs and defendants are called to share evidence.

San Diego County lawyers nonetheless argued in court that the level of force Banks used during his encounter with Myles was appropriate.

Banks himself testified at trial that he had been involved in a 2013 incident that led to the death of a suspect who was badly beaten by sheriff's deputies and bitten repeatedly by Bubo, the same dog he would later set loose on Myles.



Mickail Myles, who formerly taught preschool at Camp Pendleton, won a \$5 million jury award after being beaten by a San Diego County sheriff's deputy and bitten by his dog. Now the county has settled for \$6.5 million including attorney fees. (Courtesy of Dicks & Workman Attorneys at Law)

He also acknowledged that in a separate incident, he pushed to the ground a boy he had stopped on suspicion of jaywalking, then used his boot to subdue him.

After years of litigation, a federal jury awarded Myles \$5 million in damages. His attorneys also claimed legal fees of nearly \$6 million.

But San Diego County appealed the jury award and the attorney fees. In an unusual ruling last year, an appeals court reversed the \$5 million jury verdict and capped potential damages to Myles at \$1.5 million.

“There was little evidence of lasting physical injury to Myles,” the 9th U.S. Circuit Court of Appeals wrote. “He did not suffer any permanent impairment from the dog bite apart from some small scars.”

The appeals court also overturned the lower court’s order that San Diego County pay Myles’ legal team more than \$5.8 million in fees.

The \$6.5 million settlement filed Monday in federal court is [the latest multimillion-dollar legal payment](#) to people seriously injured to sheriff’s staff and to the families of those who died.

In October, county supervisors [agreed to pay \\$16 million](#) to the family of Hayden Schuck, a 22-year-old man who was arrested after a 2022 car crash but died in custody after receiving improper medical care.

The county was also [sanctioned](#) in that case for erasing more than 50 hours of surveillance video footage recorded inside the jail.

The county in 2024 agreed to [pay \\$14 million](#) in the case of Elisa Serna, who died in the Las Colinas women’s jail in Santee after staff failed to treat her for alcohol- and drug-withdrawal symptoms.

And in 2023, the county settled a case with the family of Lucky Phounsy [for \\$12 million](#) after he died from being beaten, hogtied and shot with a stun-gun by deputies over a decade ago at a relative’s home. Phounsy had been suffering a mental-health crisis and called 911 himself.

A jury in that case initially awarded the family \$85 million.

In all, the Sheriff’s Office has paid more than \$250 million into the county’s public liability fund since 2015-16.

But the payments for civil claims have escalated sharply in recent years, The San Diego Union-Tribune found in [a recent analysis](#). The sheriff’s payment this year alone is \$50 million, up from \$41 million for the year ending June 30, 2025.