

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 11-13984

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT JUNE 4, 2012 JOHN LEY CLERK

D. C. Docket No. 2:11-cv-01240-RDP

JULIET BLACKSHER,
an individual,

Plaintiff-Appellant,

versus

IRONDALE, ALABAMA, CITY OF,
a municipal corporation,
JASON HILL,
individually and in his capacity as
a Detective Sergeant of the City of Irondale,
Alabama,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Alabama

(June 4, 2012)

Before DUBINA, Chief Judge, EDMONDSON, Circuit Judge, and RESTANI,*
Judge.

PER CURIAM:

This appeal is from the grant of qualified immunity. The defense was asserted by a motion per Rule 12(b)(6). Taking the allegations of the complaint as true, we conclude that the District Court's decision to grant the motion amounts to a reversible error. We note, among other things, that the complaint never asserts that Defendant Hill identified himself as a law officer or that Plaintiff knew he was a law officer before the arrest.

We express no view about whether qualified immunity might yet bar this action by grant of summary judgment or otherwise when more facts come out as the record is developed.

VACATED and REMANDED.

*Honorable Jane A. Restani, United States Court of International Trade Judge, sitting by designation.