

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

No. 09-6442

KENNETH O. KENNEDY,
Plaintiff - Appellee,FILED
Mar 24, 2011
LEONARD GREEN, Clerk

v.

CITY OF VILLA HILLS, KENTUCKY et al.,
Defendants,
JOSEPH SCHUTZMAN, Individually,
Defendant - Appellant.

Before: SILER, MOORE, and GRIFFIN, Circuit Judges.

JUDGMENTOn Appeal from the United States District Court
for the Eastern District of Kentucky at Covington.THIS CAUSE was heard on the record from the district court and was argued by
counsel.IN CONSIDERATION WHEREOF, it is ORDERED that the district court's denial of
qualified immunity to defendant Joseph Schutzman on plaintiff Kenneth Kennedy's Fourth
Amendment claim for wrongful arrest and on defendant's First Amendment claim for retaliatory
arrest is AFFIRMED, and the case is REMANDED for further proceedings consistent with the
opinion of this court.**ENTERED BY ORDER OF THE COURT**
Leonard Green, Clerk