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No. 12-3591

## UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

FILED Feb 21, 2013 DEBORAH S. HUNT, Clerk

RANDY SHEPHERD;	)	
CYNTHIA SHEPHERD,	)	ON APPEAL FROM THE
	)	UNITED STATES DISTRICT
Plaintiffs-Appellants,	)	COURT FOR THE
	)	NORTHERN DISTRICT OF
V.	)	OHIO
	)	
J. STEVE SHELDON, et al.,	)	
	)	ΟΡΙΝΙΟΝ
Defendants,	)	
	)	
ERIC BOSCO,	)	
	)	

Defendant-Appellee.

## BEFORE: NORRIS, MOORE, and DONALD, Circuit Judges.

**PER CURIAM.** Plaintiffs Randy and Cynthia Shepherd filed an eight-count complaint against various government officials after their home was searched pursuant to a warrant that they contend was defective. The only issue on appeal is whether the district court properly granted summary judgment based upon qualified immunity to Captain Eric Bosco<sup>1</sup> of the Richland County, Ohio Sheriff's Department. Plaintiffs contend that Bosco, the officer who swore out the affidavit used to obtain the search warrant for their home, knowingly provided

<sup>&</sup>lt;sup>1</sup> Defendant's signed affidavit spells his surname as Bosko, which we assume to be correct. Nevertheless, we retain the spelling used in the filings with the district court.

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false information in violation of the Fourth Amendment's protection against unreasonable searches and seizures.

We have had the opportunity to review the record and have carefully considered the arguments made by the parties in their briefs and at oral argument. We conclude that the district court properly granted judgment to defendant and affirm based upon the reasoning set forth in its Memorandum of Opinion and Order filed on April 12, 2012.

The judgment of the district court is **affirmed**.