

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

Nos. 12-3857/4190/4192

LAURIE RANGE, et al.,
Plaintiffs - Appellees (12-3857),
Plaintiffs - Appellants/Cross - Appellees,
(12-4190 & 12-4192),

v.

KENNETH DOUGLAS,
Defendant,

ESTATE OF BERNARD KERSKER, Individually
and in his official capacity as an employee of
Hamilton County, Ohio; ESTATE OF DR. FRANK
CLEVELAND, on behalf of Dr. Cleveland in all his
capacities; HAMILTON COUNTY, BOARD OF
COMMISSIONERS,

Defendants - Appellants (12-3857),
Defendants - Appellees/Cross - Appellants
(12-4190 & 12-4192).

Before: ROGERS, STRANCH, and DONALD, Circuit Judges.

JUDGMENT

On Appeal from the United States District Court
for the Southern District of Ohio at Cincinnati.

THIS CAUSE was heard on the record from the district court and was argued by counsel.

IN CONSIDERATION WHEREOF, it is ORDERED that the denial of Ohio statutory immunity in Case No. 12-3857 is AFFIRMED, the motion to certify questions of Ohio tort law is DENIED, and the state claims are REMANDED for further proceedings consistent with the opinion of this court. IT IS FURTHER ORDERED that the § 1983 claim alleging a substantive due process violation in Case No. 12-4190 is AFFIRMED, and that the cross-appeal of Case No. 12-4192 is DISMISSED.

ENTERED BY ORDER OF THE COURT



Deborah S. Hunt, Clerk

FILED
Aug 15, 2014
DEBORAH S. HUNT, Clerk