

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

Nos. 12-6335/6336

JAMES J. ROGERS,
Plaintiff,GARRY MURPHY and BRIAN HENSLEY,
Plaintiffs-Appellants/Cross-Appellees,

v.

SHERIFF NELSON O'DONNELL, et al.,
Defendants,JENNIFER HALL SMITH and DAVID W. SMITH,
Defendants-Appellees/Cross-Appellants.

Before: SILER, McKEAGUE, and WHITE, Circuit Judges.

JUDGMENTOn Appeal from the United States District Court
for the Eastern District of Kentucky at Lexington.

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

IN CONSIDERATION WHEREOF, and for the reasons more fully set forth in the Court's opinion of even date, it is ORDERED that the district court's grant of summary judgment in favor of the Smith defendants on all of plaintiffs' claims against them is AFFIRMED. IT IS FURTHER ORDERED that the district court's denial of defendants' motion for attorneys' fees is AFFIRMED.

ENTERED BY ORDER OF THE COURT

Deborah S. Hunt, Clerk**FILED**
Dec 16, 2013
DEBORAH S. HUNT, Clerk