

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

Nos. 14-3134/3136/3137

DENISE M. COLEY, Administrator of the estate
of Carlton L. Benton; DECARLOS L. BENTON;
M.L., a minor; CARLA BENTON,
Plaintiffs - Appellees,

v.

LUCAS COUNTY, OHIO, et al.,
Defendants,

JOHN E. GRAY (14-3134); JAY M.
SCHMELTZ (14-3136); JAMES A.
TELB (14-3137),
Defendants - Appellants.

Before: SILER, SUTTON, and STRANCH, Circuit Judges.

JUDGMENT

On Appeal from the United States District Court
for the Northern District of Ohio at Toledo.

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

IN CONSIDERATION WHEREOF, it is ORDERED that the judgment of the district court denying qualified immunity to Defendants Schmeltz, Gray, and Telb regarding Plaintiffs' claims of excessive force and failure to train is AFFIRMED. IT IS FURTHER ORDERED that the district court's denial of statutory immunity under Ohio law to Defendant Telb is AFFIRMED. The case is REMANDED to the district court for further expedited proceedings consistent with the opinion of this court.

ENTERED BY ORDER OF THE COURT



Deborah S. Hunt, Clerk

FILED
Aug 21, 2015
DEBORAH S. HUNT, Clerk