

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.

**FILED**  
Aug 21, 2015  
DEBORAH S. HUNT, Clerk

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