

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION

LARRY D. MULDROW

PLAINTIFF

V.

CASE NO. 07-CV-4061

JOHN VAN METER, in his individual  
and official capacities; and THE CITY  
OF TEXARKANA, ARKANSAS

DEFENDANTS

**ORDER**

Before the Court is a Motion for Summary Judgment filed by Defendants John Van Meter and the City of Texarkana, Arkansas ("City"). (Doc. 83). Plaintiff has responded. (Doc. 109). The Court finds the matter ripe for consideration.

For reasons discussed in the Memorandum Opinion of even date, the Court finds that Plaintiff's Motion for Summary Judgment should be and hereby is **GRANTED IN PART and DENIED IN PART**. All constitutional claims against the City of Texarkana and Officer Van Meter in his official capacity shall be dismissed with prejudice. All constitutional claims against Officer Van Meter in his individual capacity are dismissed with prejudice, *except* for the Fourth Amendment claim that Officer Van Meter conducted an illegal search of Plaintiff's person. The illegal search claim will proceed to trial. Plaintiff's claims for malicious prosecution, outrage, conspiracy, and his miscellaneous claims are dismissed with prejudice. Thus, the only claim remaining in this case is Plaintiff's claim against Officer Van Meter in his individual capacity that Officer Van Meter conducted an illegal search of Plaintiff's person, in violation of his Fourth Amendment rights.

IT IS SO ORDERED, this 21st day of May, 2009.

/s/ Harry F. Barnes  
Hon. Harry F. Barnes  
United States District Judge