

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

ADEL YAZIDI)	
)	
)	Plaintiff,
vs.)	No. 1:08-cv-1010-SEB-TAB
)	
OFFICER HOUGHTON, et al.,)	
)	
)	Defendants.

**Entry Discussing Motion for Summary Judgment as to
Claims Asserted Pursuant to the Indiana Constitution**

I.

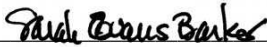
Plaintiff Adel Yazidi is confined at an Indiana prison and alleges in this action that he was mistreated by the defendants. Yazidi asserts claims pursuant to 42 U.S.C. § 1983. He also asserts claims under Article I, § 2 of the Indiana Constitution. Because there is no private right of action for damages under the Indiana Constitution under the circumstances presented here, the defendants' motion for summary judgment (dkt 34) as to claims for damages asserted pursuant to the Indiana Constitution must be **granted**. See *Smith v. Indiana Dep't of Corr.*, 871 N.E.2d 975, 978 (Ind.Ct.App. 2007).

II.

No partial final judgment shall issue at this time as to the claims resolved in this Entry.

IT IS SO ORDERED.

Date: 04/19/2010


 SARAH EVANS BARKER, JUDGE
 United States District Court
 Southern District of Indiana

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