

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA**

STUART SHOWALTER,)	
)	
Plaintiff,)	
vs.)	No. 1:08-cv-01283-SEB-TAB
)	
JEFF WOODARD, et al.,)	
)	
Defendants.)	

**Entry Discussing Motion for Summary Judgment as to Claim
Against Matt Hankins**

To be liable for damages in an action brought pursuant to 42 U.S.C. § 1983, an individual must have personally participated in the alleged constitutional deprivation. *Zimmerman v. Tribble*, 226 F.3d 568, 574 (7th Cir. 2000); *see also Sanville v. McCaughtry*, 266 F.3d 724, 740 (7th Cir. 2001) (to be liable for the deprivation of a constitutional right, an individual must personally participate in the deprivation or must direct the conduct or have knowledge of and consent to the conduct). The circumstances which gave rise to the claims in this action occurred in September of 2006. Defendant Matt Hankins is named as a defendant because he was the Town Marshal of the Town of Thorntown beginning in January of 2008. Marshal Hankins did not participate in any of the events in 2006. Accordingly, the motion for summary judgment brought by defendant Matt Hankins is **granted**. No partial final judgment shall issue at this time as to the claim resolved in this Entry.

IT IS SO ORDERED.

Date: 05/05/2010

Distribution:

Michael Lynn Parkinson
PARKINSON LAW FIRM
parkinson.ml@verizon.net

Mary A. Russell
HANNA, GERDE & RUSSELL
russell@hgrlaw.com

STUART SHOWALTER
P.O. Box 374
Lebanon, IN 46052



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