

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
DAVENPORT DIVISION

TERESA R. WAGNER,

Plaintiff,

No. 3-09-cv-10-CRW-TJS

vs.

ORDER

CAROLYN JONES, Dean
Iowa College of Law
(in her official and individual capacities),

Defendant.


The court has examined carefully the many arguments plaintiff asserts in her resisted motion to alter or amend judgment. No arguments are new, though most are phrased in somewhat different and very strong language.

Contrary to plaintiff's primary contention, the court did not go beyond determining that defendant Jones was entitled to qualified immunity. The court limited itself to the evidence in the record and the sole question presented: did she act in conformity with what a reasonable official in her position would believe was constitutionally permissible when she accepted the faculty recommendation not to hire Wagner. In so acting, defendant Jones violated no clearly established constitutional legal principle.

The court denies the plaintiff's motion to alter or amend for the reasons set forth in the court's March 30 Order granting defendant's motion for summary judgment based on qualified immunity.

IT IS SO ORDERED.

Dated this 8th day of June, 2010.


CHARLES R. WOLLE, JUDGE
U.S. DISTRICT COURT