

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

PHILLIP S. DUNN,

Plaintiff,

JUDGMENT IN A CIVIL CASE

v.

Case No. 15-cv-430-bbc

ELLIOT LEVINE, JESSICA SKEMP,
RONALD TISCHER, PATRICIA O'NEIL,
RON SECORD, ANDREW DITTMAN,
SHAWN KUDRON, DAN ULRICH,
NATHAN POKE AND
THE CITY OF LA CROSSE, WISCONSIN,

Defendants.

This action came before the court and a jury for consideration with District Judge William M. Conley presiding. The issues have been tried and the jury has rendered its verdict.

IT IS ORDERED AND ADJUDGED that the following claims are dismissed under Fed. R. Civ. P. 12(b)(6) for plaintiff Phillip Dunn's failure to state a claim upon which relief may be granted:

- (1) Defendant Jessica Skemp allegedly violated plaintiff's rights by filing a criminal complaint against him;
- (2) Defendant Patricia O'Neil allegedly violated plaintiff's rights by failing to argue an issue about sentence credit;
- (3) Defendant Elliot Levine allegedly violated plaintiff's rights by denying his request for a sentence modification;

- (4) Defendant the City of La Crosse allegedly violated plaintiff's rights by failing to properly supervise its employees; and
- (5) Defendants Ronald Tischer and Andre Dittman allegedly violated plaintiff's rights.

IT IS FURTHER ORDERED AND ADJUDGED that the following claims are dismissed under Fed. R. Civ. P. 56 because no reasonable jury could find in plaintiff's favor:

- (1) Defendant Shawn Kudron allegedly violated plaintiff's rights in October 2014 by entering his home and bedroom without justification and by arresting plaintiff without probable cause;
- (2) Defendants Dan Ulrich and Nathan Poke allegedly violated plaintiff's rights in December 2014 by conducting a traffic stop of plaintiff without justification.

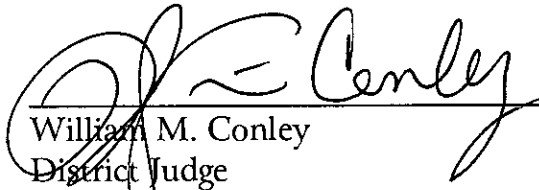
IT IS FURTHER ORDERED AND ADJUDGED that the following claims are dismissed under Fed. R. Civ. P. 50 because no reasonable jury could find in plaintiff's favor:

- (1) Defendants Ron Secord, Ulrich and Poke allegedly violated plaintiff's rights by entering his home on October 28, 2014 without justification; and
- (2) Defendants Secord, Ulrich and Poke allegedly violated plaintiff's rights by arresting him without probable cause.


IT IS FURTHER ORDERED AND ADJUDGED that the following claim is dismissed in accordance with the jury's verdict in defendants' favor: defendants Secord, Ulrich and Poke allegedly violated plaintiff's rights by entering his bedroom in October 2014 without justification.

Judgment is entered in favor of defendants on each of these claims and this case is dismissed.

Approved as to form this 7th day of December, 2016.



William M. Conley
District Judge



Peter Oppeneer, Clerk of Court

12/9/16

Date