

Messerschmidt
VS.
Millender

What's Being Argued?

If an officer is entitled to qualified immunity once obtaining a warrant to search for firearms from a felon who threatened to kill his girlfriend.

What Happened?

The plaintiff, Shelley Kelly was shot at a total of 5 times by her ex boyfriend Jay Bowen for ending the relationship with him.

As a Result...

Officer Messerschmidt investigated the case and obtained a search warrant to search the address where Bowen may have stayed at and obtained firearms which were not his

Next

The residents who lived in the house, Augusta Millender, Brenda Millender and William Johnson pressed charges on Messerschmidt saying he violated their 4th Amendment rights

In Court...

The judges ruled although Messerschmidt's search went overboard, he had a warrant stating that is was okay for him to do a search and their 4th Amendments rights weren't violated