

WEST VIRGINIA

THE DYNAMIC DUO AND HAT TRICK RECIPIENTS



Bailey & Wyant PLLC's Equity Member John P. Fuller and Associate Jeffrey M. Carder obtained Summary Judgment in the United States District Court for the Southern District of West Virginia on behalf of a group of Correctional Officers. The Correctional Officers were alleged to have used excessive force in extracting the Plaintiff Inmate from a cell.

The Plaintiff had refused to cooperate and voluntarily leave his cell. In granting Summary Judgment, the Court found that the Plaintiff Inmate had simply refused to comply and the disturbance had gone on for well over an hour. The Correctional Officers had given the

Plaintiff Inmate numerous opportunities to leave his cell peacefully but instead left the Correctional Officers no choice but to enter the cell and forcibly take control of the Plaintiff Inmate.

John P. Fuller and Jeffrey M. Carder also obtained the dismissal of various Correctional Officers in a suit filed before the Circuit Court of Kanawha County, West Virginia. The Correctional Officers were alleged to have used excessive force against the Plaintiff Inmate on two separate occasions. The Court dismissed the case with prejudice.



JOHN FULLER

304.720.0704
jfuller@baileywyant.com



JEFFREY CARDER

304.345.4222
jcarder@baileywyant.com