

The Indiana Jury Verdict Reporter

The Most Current and Complete Summary of Indiana Jury Verdicts

December 2021

Statewide Jury Verdict Coverage

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Unbiased and Independently Researched Jury Verdict Results

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Civil Jury Verdicts

Timely coverage of civil jury verdicts in Indiana including court, division, presiding judge, parties, cause number, attorneys and results.

False Arrest - Plaintiff claimed two sheriff's deputies illegally entered his home without a warrant and roughly arrested him for resisting law enforcement and for possession of drugs and drug paraphernalia; when all the charges were later dropped, plaintiff sued for false arrest, excessive force, assault, battery, and violation of his 4th and 14th Amendment rights

Rose v. Gladioux, et al.,

02D03-1903-CT-156

Plaintiff: Johnny W. Ulmer, *Ulmer Law Offices, Inc.*, Bristol

Defense: J. Spencer Feighner, *Haller & Colvin, P.C.*, Fort Wayne

Verdict: Defense verdict on liability County: **Allen**, Superior

Court: J. DeGroote, 4-29-21

In the evening of 2-18-18, Jennifer Badger was concerned that her brother, Jordan Rose, might attempt to harm himself. Accordingly, she phoned in a request to the Allen County Sheriff's Department to do a "wellness" check on Jordan.

Shortly before midnight, deputies Adam Rogers, Douglas Schroeder, and Brandon Reichert were dispatched to the home that Jordan shared with his wife, Katherine Rose at 10001 Banbury Court in Fort Wayne. The parties offer differing versions of what happened next.

According to Jordan, a family friend named Cory Mihavics had gone to Jordan's home and spoke with him. Jordan explained he was fine and was simply tired and wanted to sleep. On Badger's request, Jordan allowed Mihavics to

remove Jordan's only gun from the house.

Mihavics relayed this information to Badger, who then notified the sheriff's department that they could disregard her earlier call. Despite this notification, the deputies arrived at Jordan's subdivision where they made contact with Mihavics shortly after midnight on the morning of 2-19-18.

Jordan claims Mihavics explained all the relevant facts to the deputies, but they nonetheless ordered him to use a key he had in his possession to open Jordan's front door and let them in the house. By this time, Jordan was asleep in his upstairs bedroom.

Upon entering the house, the deputies went upstairs to Jordan's bedroom where they claim they saw drug paraphernalia. The deputies roughly arrested Jordan, tasered him, and placed him in handcuffs.

Jordan was transported by EMS to St. Joseph Hospital to be medically cleared. He was then taken to the Allen County jail and charged with drug possession, possession of drug paraphernalia, and resisting law enforcement.

Some eight months later, on 10-5-18, the prosecutor dropped all the criminal charges against Jordan. That, however, would not be the end of the matter. Jordan and Katherine filed suit against deputies Rogers, Schroeder, and Reichert, as well as against Sheriff David Gladioux and the Allen County Commissioners.