

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

JONAH LONG,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:13-cv-01619-JMS-DKL
)	
MATTHEW KINKADE,)	
)	
Defendant.)	

Court's Proposed Case Synopsis

This case arises out of the search of a residence located at 2343 Shelby Street in Indianapolis. The plaintiff, Jonah Long, claims that defendant Detective Matthew Kinkade violated his rights under the Fourth Amendment to the U.S. Constitution when he searched 2343 Shelby Street on July 25, 2012. Jonah Long filed this lawsuit under 42 U.S.C. § 1983, which is a federal law that allows private citizens to seek monetary recovery for violations of their constitutional rights.

On July 25, 2012, Jonah Long was present at the residence located at 2343 Shelby Street, Indianapolis, Indiana. Matthew Kinkade was the lead detective in charge of a narcotics investigation into possible drug dealing activity at that residence. Matthew Kinkade entered the house along with several other police officers, who are not defendants in this lawsuit. The officers did not obtain a warrant before entering the house. You should not concern yourselves with the initial entry. It is the events that occurred after the initial entry that form the basis of Jonah Long's claim against Matthew Kinkade.

Once the officers were inside the house, they secured its occupants, including Jonah Long. One of the residents of the home—Charles Faulkner—provided written consent to search the home. Jonah Long contends that because he was also an occupant of the home and he objected to the search, the warrantless search was unconstitutional. Matthew Kinkade contends that Jonah Long denied that he had a legal interest in the house and that Jonah Long did not object to the search.

It is your duty to determine whether Matthew Kinkade's search of the residence violated Jonah Long's rights.