

# White v. State

**Case Number**

S-16-0377

**Case Audio**

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March 1, 2017

**Court Number**

Johnson

**Case Summary**

S-16-377, William White (Cross-Appellant) v. State (Appellee) and Scott Busboom, individually (Appellant)

Johnson County, Judge Daniel E. Bryan, Jr.

Attorneys: James D. Smith, Ryan C. Gilbride, Jessica M. Forch, and David A. Lopez (Attorney General's Office) for Appellant Busboom and Appellee Abby K. Osborn and Joy Shiffermiller (Shiffermiller Law Firm) for Cross-Appellant

Civil: 1983 Action - Qualified Immunity

Proceedings Below: The district court sustained in part and denied in part cross motions for summary judgment and awarded monetary damages and attorney fees and costs against Busboom individually

Issues: Busboom assigns that the district court erred by (1) not concluding that White's due process claim was waived; (2) granting summary judgment to White against Busboom individually; and (3) denying qualified immunity to Busboom.

White cross-appeals and assigns that the court erred by reducing the award of attorney fees.

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