

**PAT ROMAN, INDIVIDUALLY AND ON BEHALF OF THE STUDENTS
OF MICHIGAN HIGH SCHOOL, Plaintiff.**

vs.

**DANA M. COLBY, AS PRINCIPAL OF MICHIGAN HIGH SCHOOL,
AND TERRY WORDSHAW, Defendants.**

TYPE OF CASE

Civil Rights Action
Unreasonable Search and Seizure
Class Action for Declaratory Judgment and Injunction
Individual Action for Damages
Bench Trial (Non-Jury)
U.S. District Court [Federal Court]

NATURE OF THE LEGAL CLAIMS

Plaintiff, a high school student, claims that a search of his/her backpack by a teacher violated his/her right to be free from unreasonable searches and seizures as guaranteed by the Fourth Amendment to the U. S. Constitution. S/he also claims that a school memorandum, authorizing searches of students, is unconstitutional. Plaintiff seeks money damages for the violation of his/her rights, a declaratory judgment (a court order) stating that the memorandum is unconstitutional, and an injunction (a court order) forbidding enforcement of the memorandum.

There are two defendants, the principal who wrote the memorandum and the teacher who made the search. They claim the search meets the test of reasonableness under the Fourth Amendment and that the memorandum does not authorize any unconstitutional searches.

SUMMARY OF FACTS

Plaintiff's backpack was taken from him and searched by a teacher in front of a classroom full of students. The teacher, Defendant Wordshaw, claimed to have reason to believe that plaintiff had stolen a school trophy and that it was in the pack. The bag was emptied on the teachers desk. The trophy was not found there, however a marijuana cigarette was. Plaintiff denied any knowledge as to how the cigarette got into his/her pack.

LIST OF MATERIALS

Pretrial Order, pp. 1-3
Exhibit 1, Interdepartment Memorandum, p. 4
Statement of Pat Roman [Plaintiff], p. 5
Statement of Casey Cutler [Witness for Plaintiff], p. 6
Statement of Dana Colby [Defendant], p. 7
Statement of Terry Wordshaw [Defendant], p. 8
U.S. Supreme Court opinion in New Jersey v T.L.O., pp. 9-17