

Mike

Only one no longer a party. Only
the County is involved.

B.A. doubts that County Attorney
has "line of authority" over the Sheriff's
Office.

The Sheriff's Office is a
part of the County. It is a
part of the County.

C.A. said that at least in the
past, the Sheriff's Office
of account to avoid some
created by only a
that justified under the
of C.A. & B.

See B.A. & Sheriff's Office
as to factoring of the Sheriff's Office

Mauler (Petr)

City is no longer a party. Only
the County is involved.

BRW doubts that County Prosecutor
has "line authority" over the Sheriff's
& his Deputies.

The ~~warrantless~~^{warrantless} entry was a joint-
effort by SA Deputy Sheriffs and City
Police

CAG said that at time of their
warrantless entry, the existence of
of warrant to arrest (as here)
created "exigent circumstances"
that justified warrantless entry
- p. 5 of CAG's op.

See BRW's comments on this Q,
& as to testimony of the Prosecutor

Friedmann (Asst. Prosecutor of County)

Remember
this suit is
against County
Commissioner -
not the prosecutor

Prosecutor does not have legal authority over Sheriffs. Duty ~~is that~~ of Prosecutor is to give legal advice

Responding to B R W, Friedmann acted according to Ohio law at the time. Friedmann then agreed that Prosecutor acted in ~~accord~~ accord with Ohio law at the time. See p 5a of CA 6's op.

In light of ~~our~~ our op. in Seagold, Ohio law was mistaken. Seagold v U.S. 451 U.S. 204 (1981)

(Conote below have treated capias as an arrest warrant)

~~Nothing in record.~~

Nothing in record that Prosecutor had ever advised "break-in" except in this case

Prosecutor was not a "policy making" officer ~~with respect~~ w/respect to ~~the~~ decision in this case. Two judges ~~issued~~ issued the capias, & the Sheriffs were not subject to authority of Prosecutor. They could have acted w/o asking for legal advice.

Client is free ^{not} to follow advice of atty - public or private

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Discuss
with
my
clerk.