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University of Mississippi Medical Center v. Oliver

Supreme Court of Mississippi - August 24, 2017 - So.3d - 2017 WL 3641246

Arrestee brought malicious prosecution action against state university hospital and two of its law enforcement officers. The Circuit Court denied motion for summary judgment filed by hospital and officers. Hospital and officers appealed.

The Supreme Court of Mississippi held that:

- On an issue of first impression, arrestee's malicious prosecution claims against state university hospital and two of its law enforcement officers in their official capacities were barred by sovereign immunity; overruling *Keen v. Simpson Cty.*, 904 So.2d 1157;
- Officer who merely helped other officers remove arrestee from van did not initiate criminal proceedings against arrestee; and
- Investigator did not act maliciously.