

Bond Case Briefs

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Stone v. Wright

Court of Appeals of Indiana - September 30, 2019 - N.E.3d - 2019 WL 4741618

Arrestee brought action against deputy chief of police and city for false arrest, false imprisonment, and malicious prosecution.

Deputy chief of police and city filed motion to dismiss for failure to state a claim. The Circuit Court granted deputy's and city's motion to dismiss. Arrestee filed motion to correct error and for leave to file amended complaint. The Circuit Court denied arrestee's motions, and she appealed.

The Court of Appeals held that:

- Two-year statute of limitations under statute for injuries to person or character accrued at time that arrest warrant was issued;
- Arrestee's notice of tort claim under Indiana Tort Claims Act (ITCA) was untimely;
- Deputy chief was immune from personal liability for malicious prosecution under statute governing immunity of governmental entities or employees; and
- Trial court did not abuse its discretion by denying arrestee's motion for leave to file third amended complaint.