

08-1065 POTTAWATTAMIE COUNTY, IA V. MCGHEE

DECISION BELOW: 547 F.3d 922

LOWER COURT CASE NUMBER: 07-1453, 07-1524

QUESTION PRESENTED:

Whether a prosecutor may be subjected to a civil trial and potential damages for a wrongful conviction and incarceration where the prosecutor allegedly (1) violated a criminal defendant's "substantive due process" rights by procuring false testimony during the criminal investigation, and then (2) introduced that same testimony against the criminal defendant at trial.

DISMISSED PURSUANT TO RULE 46

CERT. GRANTED 4/20/2009