



7th Circuit tosses IU dorm-search lawsuit

Dave Stafford June 29, 2012

An Indiana University student's federal lawsuit seeking a preliminary injunction to prevent his one-year suspension was dismissed Friday by the 7th Circuit Court of Appeals.

The court in a brief opinion ruled that it lacked subject matter jurisdiction and the case was moot because the student had served his suspension and therefore an injunction, even if granted, would have no force.

In *Zachary Medlock v. Trustees of Indiana University*, 11-3288, Zachary Medlock argued that a search of his room in the Willkie Residence Center violated his rights under the Fourth and 14th Amendments.

On March 9, 2011, as part of a routine "health and safety inspection," two university resident assistants searched Medlock's dorm room for safety hazards. Medlock was not present at the time of the search. When the RAs entered the room, they discovered marijuana in plain sight, and they notified university police.

Medlock subsequently was suspended for a year and unsuccessfully exhausted I.U.'s appeal process before he filed suit in U.S. District Court for the Southern District of Indiana, where his request for an injunction was denied.

Judge William Bauer wrote that the court didn't need to examine the District Court's determination that neither of Medlock's rights violations claims had a reasonable likelihood of success.

"We need not consider these issues; we lack subject-matter jurisdiction in this appeal and therefore must dismiss it," Bauer wrote. "Article III of the Constitution limits federal courts' scope of judicial review to live cases and controversies. ... Even if we were to decide that Medlock's constitutional rights had been violated, a preliminary injunction would do him no good. There is simply nothing left to enjoin."