

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

<p>MAUREEN RATTRAY, Plaintiff, vs. WOODBURY COUNTY, IOWA, Defendant.</p>	<p>CASE NO. C07-3012 MWB ANSWER AND JURY DEMAND</p>
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COMES NOW Defendant, and for its Answer to Plaintiff's Complaint, states as follows:

INTRODUCTION

1. Defendant denies that there was any deprivation of rights. The remainder of paragraph one is denied for lack of sufficient information to form a belief as to the truth of the matters asserted.

2. Defendant denies that there were any unlawful acts, but admits that the acts which did occur, happened in Woodbury County, Iowa.

PARTIES

3. Paragraph three is denied for lack of sufficient information to form a belief as to the truth of the matters asserted.

4. Paragraph four is admitted.

5. Defendant denies that there were any unlawful acts. The remainder of paragraph five is admitted.

6. Defendant denies that there were any unlawful acts. The remainder of paragraph six is admitted.

JURISDICTION

- 7. Paragraph seven is admitted.
- 8. Paragraph eight is admitted.

PROCEDURAL REQUIREMENTS

9. Defendant admits that plaintiff filed her Complaint within six months of her arrest. The remainder of paragraph nine is denied.

FACTUAL BACKGROUND

- 10. Paragraph ten is admitted.
- 11. Paragraph eleven is admitted.
- 12. Paragraph twelve is admitted.
- 13. Paragraph thirteen is admitted.
- 14. Defendant admits that plaintiff was booked into the Woodbury County Jail at approximately 3:10 a.m. on August 19, 2006, but denies that she was booked by Woodbury County Sheriff's deputies.
- 15. Defendant admits that plaintiff's property was inventoried at approximately 3:20 a.m. on August 19, 2006, but denies that it was done by Woodbury County Sheriff's deputies.
- 16. Defendant admits that after plaintiff was booked, she was placed in an adjacent room by a female correctional officer and told to remove her clothes for a strip search. Defendant denies that this officer was a sheriff's deputy.
- 17. Paragraph 17 is denied for lack of information sufficient to form a belief as to the truth of the matters asserted.
- 18. Paragraph 18 is denied.

19. Paragraph 19 is denied.

20. Paragraph 20 is denied.

21. Paragraph 21 is denied.

22. Paragraph 22 is denied.

23. Defendant admits that plaintiff told correctional officers she was wearing a tampon. The remainder of paragraph 23 is denied.

24. Paragraph 24 is denied.

25. Paragraph 25 is denied.

26. Paragraph 26 is denied.

27. Paragraph 27 is denied.

28. Paragraph 28 is denied.

29. Paragraph 29 is denied.

30. Paragraph 30 is denied.

31. Paragraph 31 is denied.

32. Paragraph 32 is denied.

33. Defendant admits that plaintiff was placed face down on her bed. The remainder of paragraph 33 is denied.

34. Paragraph 34 is denied.

35. Paragraph 35 is denied.

36. Paragraph 36 is denied.

37. Paragraph 37 is admitted.

38. Defendant admits that the quoted language is contained in section 4.7 of JSOP 133. The remainder of paragraph 38 is denied.

39. Paragraph 39 is admitted.

40. Paragraph 40 is denied.

41. Paragraph 41 is denied.

42. Defendant denies that any cavity search took place. The remainder of paragraph 42 is denied.

43. Defendant denies that any cavity search took place. The remainder of paragraph 43 is denied.

44. Paragraph 44 is denied.

COUNT I

UNREASONABLE SEARCH AND SEIZURE OF PERSON IN VIOLATION OF THE FOURTH AMENDMENT TO THE UNITED STATES CONSTITUTION

45. Paragraph 45 is denied.

46. Paragraph 46 is denied.

47. Paragraph 47 is denied.

48. Paragraph 48 is denied.

49. Paragraph 49 is denied.

50. Paragraph 50 is denied.

51. Paragraph 51 is denied.

52. Paragraph 52 is denied.

53. Paragraph 53 is denied.

AFFIRMATIVE DEFENSES

1. The search policy at issue in this case is lawful and complies with all applicable statutory and constitutional provisions.

2. There was probable cause to search plaintiff.

JURY DEMAND

Defendant requests a jury trial.

Respectfully submitted,



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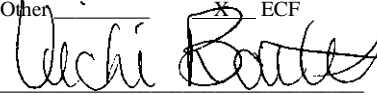
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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record herein at their respective addresses disclosed on the pleading on March 9, 2007

By: U.S. Mail facsimile
 Hand delivered Overnight courier
 Other ECF

Signature 



Answers to Complaints

[5:07-cv-04014-MWB Rattray v. Woodbury County, IA](#)

U.S. District Court

Northern District of Iowa

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Docket Text:

Defendant's ANSWER to Complaint with Jury Demand by Woodbury County, IA. (Phillips, Douglas)

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