

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT NOV 08, 2007 THOMAS K. KAHN CLERK
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No. 07-12820  
Non-Argument Calendar

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D. C. Docket No. 06-02315-CV-3-IPJ

JEREMY NEWTON,

Plaintiff-Appellee,

versus

TIM RAY,

Defendant-Appellant.

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Appeal from the United States District Court for the  
Northern District of Alabama

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**(November 8, 2007)**

Before TJOFLAT, BIRCH and DUBINA, Circuit Judges.

PER CURIAM:

In this action for money damages brought under 42 U.S.C. § 1983, the

plaintiff alleges that the defendant, a deputy sheriff, arrested him without probable cause in violation of the Fourth and Fourteenth Amendments. The defendant moved the district court to dismiss plaintiff's amended complaint on the ground that he is entitled to qualified immunity. The court denied his motion in a one-line order, which simply stated that after considering the pleadings, the court was of the opinion that the motion was "due to be denied."

The defendant now appeals. We vacate the district court's order and remand the case to enable the district court to "render a reasoned decision on the qualified immunity issue." See Danley v. Allen, 480 F.3d 1090 (11th Cir. 2007).

**VACATED and REMANDED.**