

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
June 26, 2003
THOMAS K. KAHN
CLERK

No. 03-10594
Non-Argument Calendar

D. C. Docket No. 02-01063-CV-ORL-19

OMAR, by and through his next
friend, Kevin Cannon,

Plaintiff-Appellee,

versus

JOAN LINDSEY,
GLORIA BABCOCK, et al.,

Defendants-Appellants.

Appeal from the United States District Court
for the Middle District of Florida

(June 26, 2003)

Before DUBINA, MARCUS and FAY, Circuit Judges.

PER CURIAM:

This is an interlocutory appeal from the denial of a motion to dismiss on the grounds of qualified immunity. The suit is filed on behalf of a child removed from his mother by personnel of the Florida Department of Children and Families. The complaint alleges constitutional violations under 42 U.S.C. § 1983 against these individuals. The gravamen of the allegations is that these individuals knowingly and deliberately ignored the physical, mental and emotional harm being caused this child by the intentional infliction of known cruel and unusual punishment that shocks the conscience of any reasonable person.

The ruling of the district court denying the motion to dismiss is affirmed for the reasons set forth in its ORDER of January 14, 2003 which is attached as an appendix.