

Deposition of Deputy Jim Miles - - by Eugene Miller

1 Q (EM) Well this statement says on 3rd defense defendants, Jim Jack, and
2 Sheriff Department and so and so forth – Jim Miles and J.R. Moore are immune
3 from liability because **they acted at all times with probable cause** and in good
4 faith performance of their official duties. Is that, is that true?

5 A (Miles) **I understand what the legal meaning of that statement is**

6 Q (EM) And it goes on to say that the 2nd defense is that – are immune
7 from prosecution under common law. The West Virginia governmental tort
8 claims and insurance reform act and they have implied immunity both under
9 Federal and State laws. Do you think that's true?

10 A (Boyd) Object to the form of the question. You're asking the witness a
legal conclusion.