



Metrique Naturelle Du Langage

By -

RareBooksClub. Paperback. Book Condition: New. This item is printed on demand. Paperback. 250 pages. Original publisher: Washington, DC: Federal Judicial Center, 2008. OCLC Number: (OCOLOC)260322429 Subject: State action (Civil rights) -- United States. Excerpt: . . . II. Elements of Claim, Functional Role, Pleading, and Jurisdiction The text of 1983 does not state that a plaintiff must prove that an 19 official acted with a particular state of mind. However, the particular constitutional right may require the plaintiff to establish that the defendant acted with a particular state of mind. For example, a complaint stating a violation of the substantive due process component of the Fourteenth Amendment or a violation of procedural due process will require the plaintiff to establish that a state or local official intention-ally or deliberately caused a deprivation of life, liberty, or property; 20 negligent conduct will not suffice. A complaint raising racial-or gen-der-based discrimination will invoke heightened judicial scrutiny only 21 if a plaintiff establishes intentional discrimination. A prisoners com-plaint asserting the denial of adequate medical care under the Eighth Amendment would require a prisoner to demonstrate that he was a 22 victim of deliberate indifference to a serious medical need; in other words, medical...

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