

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
KENTUCKY, OWENSBORO DIVISION

Calvin Ray Marruquin v. Henderson County Detention Center et al.

Marruquin · No. 4:25-CV-P15-JHM · Decided December 4, 2025

SUMMARY

The United States District Court for the Western District of Kentucky partially grants and partially denies Defendant Justin Whitaker’s motion for summary judgment in a prisoner civil-rights action under 42 U.S.C. § 1983. The court holds that the pat-down, body scan, and visual strip search of Plaintiff Calvin Ray Marruquin were reasonable under the Fourth Amendment, but finds a genuine dispute of material fact concerning Whitaker’s alleged manual removal of a drug baggie from Marruquin’s rectum. The court permits Whitaker to file a renewed summary-judgment motion addressing that claim and qualified immunity.

CASE DETAILS

COURT	United States District Court for the Western District of Kentucky, Owensboro Division
WRITING FOR THE COURT	Joseph H. McKinley Jr., Senior Judge
JURISDICTION	United States District Court for the Western District of Kentucky, Owensboro Division
DECIDED	December 4, 2025
DOCKET	4:25-CV-P15-JHM
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought a pro se action under 42 U.S.C. § 1983 alleging that a detention-center deputy violated the Fourth Amendment through an unreasonable strip search and manual removal of a baggie from Plaintiff's rectum. The court considered Defendant Whitaker's motion for summary judgment.
STANDARD OF REVIEW	Under Federal Rule of Civil Procedure 56(a), summary judgment is proper when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court views the nonmovant's evidence as true and draws reasonable inferences in the nonmovant's favor, while requiring the nonmovant to identify specific facts showing a genuine issue for trial.

PRECEDENTIAL VALUE

Unpublished federal district-court memorandum opinion; limited persuasive value and not generally precedential.

TOPICS

prisoners rights

civil rights

section 1983

summary judgment

constitutional law

PRACTICE AREAS

Civil rights litigation

Prisoner civil rights

Constitutional criminal procedure

Federal civil procedure

QUESTIONS PRESENTED

1. Whether the pat-down, electronic body scan, and strip-search or visual body-cavity search of a detainee arrested on felony drug charges violated the Fourth Amendment.
2. Whether summary judgment was appropriate on Plaintiff's claim that Defendant Whitaker manually removed a baggie from Plaintiff's rectum without a warrant or medical assistance.
3. Whether the court should permit a renewed motion for summary judgment addressing the merits and qualified-immunity defense on the manual-removal claim.

HOLDINGS

1. The search did not violate the Fourth Amendment. A pat-down, body scan, and strip-search or visual body-cavity search of a person arrested on felony drug charges were reasonable in scope, manner, and justification when conducted pursuant to the detention center's policy and in a private room.
2. Summary judgment was denied on Plaintiff's claim that Whitaker manually removed the baggie from Plaintiff's rectum without a warrant or medical assistance because the verified complaint and Whitaker's affidavit presented a genuine dispute of material fact regarding who removed the baggie and how the removal occurred.

KEY QUOTATIONS

"Before the Court may grant a motion for summary judgment, it must find that there is "no genuine dispute as to any material fact" and that the moving party is "entitled to judgment as a matter of law."" (at 3)

"In determining the reasonableness of a search, "courts must consider the scope of the particular intrusion, the manner in which it is conducted, the justification for initiating it, and the place in which it is conducted."" (at 5)

"Because statements in a verified complaint that are based on personal knowledge may function as the equivalent of affidavit statements for purposes of summary judgment" (at 6)

"any compelled intrusion into the human body implicates significant, constitutionally protected privacy interests." (at 7 n.2)

FACTUAL BACKGROUND

After Plaintiff was arrested on felony drug charges, including methamphetamine possession, he was booked into Henderson County Detention Center. Defendant Whitaker performed a clothed pat-down, electronic body scan, and strip search pursuant to the asserted detention-center policy; the first two searches revealed no contraband, but the visual body-cavity search revealed a baggie protruding from Plaintiff's anus. Plaintiff alleged that Whitaker forcibly removed the baggie with his fingers, without a warrant, medical assistance, or lubricant, causing severe pain and bleeding, while Whitaker asserted that Plaintiff removed it himself.

PROCEDURAL HISTORY

The court previously allowed Fourth Amendment claims against Defendant Whitaker in his individual capacity to proceed. Whitaker moved for summary judgment, and Marruquin responded. The court granted summary judgment on the strip-search and visual body-cavity-search claim but denied it on the claim concerning manual removal of the baggie because verified-complaint allegations created a genuine dispute of material fact and Whitaker did not brief the merits or qualified immunity.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand was ordered. Defendant Whitaker may file a renewed motion for summary judgment by January 16, 2026, addressing Plaintiff's second Fourth Amendment claim concerning manual removal of the baggie and addressing the merits and qualified immunity. Plaintiff must respond within 30 days after the renewed motion is filed.

CASES CITED

- Celotex Corp. v. Catrett, 477 U.S. 317, 323-24 (1986)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248-49, 255 (1986)
- Laster v. City of Kalamazoo, 746 F.3d 714, 726 (6th Cir. 2014)
- Matsushita Elec. Indus. Co. v. Zenith Radio Corp., 475 U.S. 574, 587 (1986)
- Johnson v. Stewart, No. 08-1521, 2010 U.S. App. LEXIS 27051, at *6-7 (6th Cir. May 5, 2010)
- Viegutz v. Lucent Techs., Inc., 375 F. App'x 482, 485 (6th Cir. 2010)
- Weberg v. Franks, 229 F.3d 514, 526 n.13 (6th Cir. 2000)
- Williams v. Browman, 981 F.2d 901, 905 (6th Cir. 1992)
- Stoudemire v. Mich. Dep't of Corr., 705 F.3d 560, 575 (6th Cir. 2013)
- Bell v. Wolfish, 441 U.S. 520, 559 (1979)
- Florence v. Bd. of Chosen Freeholders, 566 U.S. 318, 330, 332-34 (2012)
- Missouri v. McNeely, 569 U.S. 141, 159 (2013)
- United States v. Ruffin, 979 F.3d 528, 533 (6th Cir. 2020)
- Booker v. LaPaglia, 617 F. App'x 520, 529-30 (6th Cir. 2015)

- **Winston v. Lee**, 470 U.S. 753, 761-62 (1985)

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