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FOURTEENTH AMENDMENT—THE FOURTH AMENDMENT, RATHER THAN SUBSTANTIVE DUE PROCESS, MUST BE USED TO JUDGE A § 1983 CLAIM ALLEGING A VIOLATION OF AN INDIVIDUAL'S RIGHT TO FREEDOM FROM PROSECUTION WITHOUT PROBABLE CAUSE (*Albright v. Oliver*, 114 S. Ct. 807 (1994))..... 1560

EVIDENCE

PRIVILEGED COMMUNICATIONS—THE MARITAL COMMUNICATIONS PRIVILEGE DOES NOT PRECLUDE A THIRD PARTY FROM TESTIFYING AS TO THE CONTENTS OF A WRITTEN INTERSPOUSAL COMMUNICATION AND THE PRIEST IS THE SOLE HOLDER OF THE PRIEST-PENITENT PRIVILEGE AND CAN WAIVE THAT PRIVILEGE WITHOUT THE CONSENT OF THE PENITENT (*State v. Szemple*, 135 N.J. 406, 640 A.2d 817 (1994)) 1591

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