



Jl-AL-003-002

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
NORTHWESTERN DIVISION

89 APR 26 PM 1:57

U.S. DISTRICT COURT  
N.D. OF ALABAMA  
C.T. CLIVER, CLERK

MELVIN P., a minor, by his next )  
friend, SUE P. )  
 )  
Plaintiff )  
 )  
vs. )  
 )  
LAUDERDALE COUNTY, ALABAMA, et al. )  
 )  
Defendants )

CV NO. 87-HM-5128-NW

**ENTERED**

APR 26 1989

ORDER

The above entitled civil action was commenced on April 1, 1987 by plaintiff Melvin P., a minor by his next friend Sue P., against defendants Lauderdale County, Alabama; William Duncan, Chairman of the Lauderdale County Commission; Dorothy Mitchell, John Ezell, Selton Killen and Bobby McCormick, as members of the Lauderdale County Commission; Billy Townsend, as Sheriff of Lauderdale County, Alabama; Ned Suttle, as Judge of the Juvenile Court of Lauderdale County, Alabama;<sup>1</sup> and Harry Williams, as Chief Probation Officer of Lauderdale County, Alabama.

Pursuant to Rule 25(d)(1), it is ORDERED that William L. Hanbery, Chairman of the Lauderdale County Commission, be and he hereby is SUBSTITUTED as defendant herein as the successor in office to William Duncan, Chairman of the Lauderdale County Commission. And it is further

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<sup>1</sup>Judge N. Michael Suttle is no longer a defendant in this civil action, having been dismissed as a party defendant herein by Order entered February 7, 1989.

ORDERED, ADJUDGED and DECREED that the defendants herein, and their respective successors in office, be and they hereby are permanently RESTRAINED and ENJOINED from confining and detaining any juvenile [as such word is defined by the laws and statutes of the State of Alabama] in the Lauderdale County, Alabama Jail and from permitting or allowing any others to confine and detain any juvenile in the Lauderdale County Jail, pending further order of this Court. And it is further

ORDERED, ADJUDGED and DECREED that the above entitled civil action be and the same hereby is DISMISSED with provision, however, that the within dismissal shall in no wise affect the permanent injunction against defendants and their respective successors in office herein entered, which such injunction shall continue in full force and effect, nor the right, power or authority of this Court to hereafter enter orders enforcing the terms and provisions thereof or to punish parties for any violation of its terms and provisions; and provided, further, that the within dismissal shall not be construed as affecting the right, power or authority of this Court to award attorneys' fees and costs to counsel of record for plaintiff in this action to be paid by defendants.

The Clerk of the Court is DIRECTED to mail copy of this order to all counsel of record in this case and counsel of record for defendants is thereupon DIRECTED to deliver copy hereof to the defendant Sheriff and to the defendant Chairman of the Lauderdale County Commission who shall thereupon deliver copy hereof to each member of the Lauderdale County Commission. At the next regular

meeting of the Lauderdale County Commission a copy of the within order shall be entered in and shall be a part of the official minutes of such meeting.

DONE and ORDERED this 26th day of April, 1989.

  
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E. B. HALTOM, JR.  
UNITED STATES DISTRICT JUDGE