

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

JAMES MORROW, STEPHEN STUART §
WATSON, AMANEE BUSBY, §
YUSELFF DISMUKES, LINDA §
DORMAN, MARVIN PEARSON, §
JENNIFER BOATWRIGHT, RONALD §
HENDERSON, JAVIER FLORES, §
WILLIAM FLORES, and a Certified §
Class of Other Similarly Situated Persons, §

PLAINTIFFS §

V. §

CIVIL ACTION NO. 2:08-cv-288-JRG

CITY OF TENAHA DEPUTY CITY §
MARSHAL BARRY WASHINGTON, IN §
HIS INDIVIDUAL AND OFFICIAL §
CAPACITY; CITY OF TENAHA MAYOR, §
SHELBY COUNTY DISTRICT §
ATTORNEYS OFFICE, SHELBY §
COUNTY PRECINCT 4 CONSTABLE §
RANDY WHATLEY, IN HIS §
INDIVIDUAL AND OFFICIAL §
CAPACITY; SHELBY COUNTY §
DISTRICT ATTORNEY INVESTIGATOR §
DANNY GREEN, IN HIS INDIVIDUAL §
CAPACITY ONLY; AND SHELBY §
COUNTY, §

DEFENDANTS §

NOTICE OF APPEAL

Notice is hereby given that Plaintiffs in this case, including Class Representative James Morrow and the members of the certified Plaintiff Class, hereby appeal to the United States Court of Appeals for the Fifth Circuit from the Memorandum Opinion and Order of the District Court for the Eastern District of Texas (Dkt 440) filed in this case on August 23, 2023, awarding

a reduced interim fee to be paid by the City of Tenaha, Texas, Defendants for the work of Plaintiffs' counsel from April 1 through December 31, 2020, and directing the Clerk of Court to close this case, foreclosing Plaintiffs from recovering fees for their counsels' work done in this case since 2020, including fees for a prior related successful appeal. See the February 15, 2023 Fifth Circuit Opinion in its Case No. 21-40922.

Respectfully submitted,

/s/ Timothy B. Garrigan

Timothy B. Garrigan

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Representative, James Morrow.

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this document with any attachments is being served by the Court's ECF system on opposing counsel.

/s/ Timothy B. Garrigan

Timothy B. Garrigan