

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

**ANTONIO LEATHERWOOD, ERIC
HOWARD, JERRY SANFORD, JOHN
LEVINS, MICHAEL PATRICK, and,
individually and on behalf of all present
and future HIV-positive inmates in the
Limestone Correctional Facility in
Capshaw, Alabama,**

Plaintiffs,

v.

CV-02-BE-2812-W

**DONAL CAMPBELL, Commissioner of
the Alabama Department of Corrections,
RONALD CAVANAUGH, Director of
Treatment Alabama Department of
Corrections, BILLY MITCHEM,
Warden of Limestone Correctional
Facility, DAVID WISE, Deputy Warden,**

Defendants.

ORDER

THIS CAUSE having come before this court on *Joint Motion for Modification of Consent Decree*.

ORDERED AND ADJUDGED:

1. The *Consent Decree* in the above-styled case shall be modified as follows:

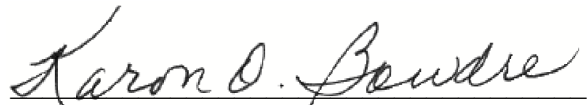
(1) Section 7.2. If HIV infected prisoners refuse the dose, counseling shall be provided and the record shall document this counseling. HIV infected prisoners who miss doses on three consecutive days shall be seen by the prescribing physician and counseled except

those patients on Keep On Person medication. A record of such counseling shall be maintained.

(2) Section 15.1. All sick call slips shall be triaged daily for degree of urgency. The triage system for sick-call slips, medical complaint forms, and medical grievance forms shall conform with NCCHC guideline P-E-07.

2. The parties agree that the above modifications do not constitute a substantive change to the *Consent Decree* and the court expressly finds that the above cited modifications do not change the *Consent Decree* substantively. Rather, the above cited modifications resolve clerical mistakes that existed in the *Consent Decree* and, as reported by the Medical Consultant, resolves conflicting provisions of the *Consent Decree*. Therefore, the court finds no reason to notify the parties and allow for objections addressing the above modifications. The court expressly finds there are sufficient circumstances to warrant a modification of the *Consent Decree*.

DONE AND ORDERED in Birmingham, Alabama this 3rd day of January, 2005.


KARON OWEN BOWDRE
UNITED STATES DISTRICT JUDGE