

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

SUSIE ANNIE BALFOUR a/k/a  
SUSAN ANN BALFOUR

PLAINTIFF

VS.

CIVIL ACTION NO. 3:24-CV-00093-KHJ-MTP

JACKSON HMA, LLC dba  
MERIT HEALTH CENTRAL, et al.

DEFENDANTS

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DEFENDANT, DR. GLORIA PERRY'S, MOTION  
FOR IMMUNITY RELATED STAY

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COMES NOW Defendant, Dr. Gloria Perry, and submits her Motion for Immunity Related Stay under Rule 16(b)(3)(B) of the Local Uniform Civil Rules, as follows:

1. On May 13, 2024, Plaintiff, a former Mississippi Department of Corrections inmate, filed her amended complaint alleging, in part, that Dr. Gloria Perry was liable under to her under 42 U.S.C. § 1983 for denial and/or delay of adequate medical treatment in violation of the Eighth Amendment to the United States Constitution. *See generally* Dkt. 45. Dr. Perry answered Plaintiff's amended complaint on June 5, 2024, asserting that she was entitled to immunity from suit and liability in this cause, including relief from discovery procedures. Dkt. 63 at page 31. On October 16, 2024, Dr. Perry filed her motion for summary judgment and memorandum, asserting qualified immunity. Dkts. 109, 110.

2. L.U.Civ.R. 16(b)(3)(B) provides that the filing of an immunity defense stays all discovery pending the court's ruling, including any appeal.

3. Until this Court has ruled on the Dr. Perry's qualified immunity as asserted in her summary judgment motion, L.U.Civ.R. 16(b)(3)(B) requires that all discovery be stayed.

4. Because of the simple and self-explanatory nature of this motion, Dr. Perry asks this Court to relieve her of any obligation to submit a supporting memorandum of authorities.

WHEREFORE, PREMISES CONSIDERED, Dr. Gloria Perry would respectfully request that, under L.U.Civ.R. 16(b)(3)(B), this Court stay all discovery pending the resolution of the motion for summary judgment.

**DATE: OCTOBER 16, 2024**

**DR. GLORIA PERRY, *Defendant***

**LYNN FITCH**

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**CERTIFICATE OF SERVICE**

I, the undersigned, do hereby certify that I have electronically filed the foregoing with the Clerk of the Court using the ECF system which provided notice to all counsel of record.

This the 16<sup>th</sup> day of October 2024.

/s/ James H. Hall