

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION

DONNA KIRKPATRICK,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.
)	1:14cv171-MHT
)	(WO)
GENEVA COUNTY BOARD OF)	
EDUCATION, et al.)	
)	
Defendants.)	

ORDER

It is ORDERED that:

(1) The defendants' motions to dismiss (doc. nos. 7, 10, and 12) are set for submission without oral argument on July 21, 2014.

(2) The parties are allowed until July 21, 2014, to file briefs addressing Lane v. Franks, --- S.Ct. ----, 2014 WL 2765285 (2014).

(3) Plaintiff Donna Kirkpatrick is ordered to show cause, if there be any, why defendants Becky Birdsong and William David Snell should not be dismissed in their

individual capacities under the 'clearly established' prong of the doctrine of qualified immunity. Kirkpatrick shall file her response, including citations to any relevant caselaw, on or before July 21, 2014.

(4) Insofar as they rely on the doctrine of res judicata, the defendants' motions to dismiss (doc. nos. 7, 10, and 12) are hereby converted into motions for summary judgment pursuant to Fed. R. Civ. P. 12(d) and set for submission without oral argument on July 21, 2014. The parties are allowed until July 21, 2014, to submit additional briefing and evidence if they so desire. See Herron v. Beck, 693 F.2d 125 (11th Cir. 1982).

DONE, this the 10th day of July, 2014.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE