

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

PHILANA HENDERSON,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 1:15-cv-955-GMB
)	(WO – Do Not Publish)
TONY HELMS, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On December 29, 2015, Plaintiff Philana Henderson (“Henderson”) filed a lawsuit against Greg Ward, in his official capacity as Sheriff of Geneva County, Alabama; the Geneva County Sheriff’s Office; and Geneva County, Alabama. Doc. 1. On January 20, 2016, Defendants Geneva County Sheriff’s Office and Geneva County, Alabama moved to dismiss Henderson’s complaint. Doc. 15. The court ordered Henderson to show cause why this motion should not be granted (Doc. 16), and on February 3, 2016, Henderson responded by indicating that she consents to the dismissal of Defendants Geneva County Sheriff’s Office and Geneva County, Alabama, but that she will continue to pursue her claims against the Geneva County Sheriff in his official capacity. Doc. 17.

Based on the foregoing, and to clarify Henderson’s claims, it is ORDERED that, **on or before February 19, 2016**, Henderson shall file an amended complaint that does not name the Geneva County Sheriff’s Office and Geneva County, Alabama as defendants in this lawsuit and further removes any general references to “Defendants” in her allegations, since Henderson will only be pursuing her claims against a single defendant—the Sheriff

of Geneva County, Alabama. It is further ORDERED pursuant to Rule 25(d) of the Federal Rules of Civil Procedure that the Clerk of Court amend the style of this action to substitute Tony Helms, in his official capacity as Sheriff of Geneva County, Alabama, for Greg Ward. In light of this order, the Motion to Dismiss (Doc. 15) filed by Defendants Geneva County Sheriff's Office and Geneva County, Alabama, is DENIED as moot.

DONE this 4th day of February, 2016.

/s Gray M. Borden
UNITED STATES MAGISTRATE JUDGE