

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

JOHNNY REYNOLDS, et al.,)	
)	
Plaintiffs,)	
)	
v.)	CIVIL ACTION NO.
)	2:85cv665-MHT
ALABAMA DEPARTMENT OF)	(WO)
TRANSPORTATION, et al.,)	
)	
Defendants.)	

JUDGMENT

On August 17, 2015, pursuant to Federal Rule of Civil Procedure 25(a)(1), the defendants noted upon the record the suggestion of death or incapacity for ten individual contempt claimants. Those ten claimants are: Marvin Adams, (doc. no. 1921), Sandy Bell, (doc. no. 1922) Willie Coon, (doc. no. 1923) Christopher Delaine, (doc. no. 1924) Bruce Hicks, (doc. no. 1925) Ray Jones, (doc. no. 1926) Roy McClain, (doc. no. 1927) Lee Ross, (doc. no. 1928) Barry Walker, (doc. no. 1929) and Milton Williams, (doc. no. 1930).

Once a suggestion of death has been noted on the record, a decedent's successor or representative has 90 days to file a motion to substitute or to dispute the suggestion of death. "If the motion is not made within 90 days after service of the statement noting the death, the action by or against the decedent must be dismissed." Fed. R. Civ. P. 25(a)(1). The 90th day, not including the day of service, occurred on November 16, 2015. No motion to substitute with respect to any of the above noted individuals has been filed.

Accordingly, it is ORDERED that the individual contempt claims of Marvin Adams, Sandy Bell, Willie Coon, Christopher Delaine, Bruce Hicks, Ray Jones, Roy McClain, Lee Ross, Barry Walker, and Milton Williams are dismissed with prejudice.

DONE, this the 23rd day of November, 2015.

 /s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE