

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

ADAM LUSTER and)
CRYSTAL LUSTER,)
)
Plaintiffs,)
)
v.)
)
GORDON LEDBETTER, in his)
individual capacity,)
CHRIS MILES, in his)
individual capacity, and)
A.J. RENFORE, in his)
individual capacity,)
)
Defendants.)

CIVIL ACTION NO.
2:08cv551-MHT
(WO)

JUDGMENT

In accordance with the opinion entered this date, it is the ORDER, JUDGMENT, and DECREE of the court as follows with regard to the motions made in open court on October 13, 2009:

(1) Plaintiff Adam Luster's counsel's oral motion to use plaintiff Luster's deposition in his absence from trial and plaintiff Luster's counsel's oral motion to continue trial are denied.

(2) Defendant A.J. Renfroe's counsel's oral motion to dismiss plaintiff Luster's excessive-force claim is granted.

(3) Plaintiff Luster's excessive-force claim is dismissed with prejudice.

It is further ORDERED that costs are taxed against plaintiffs Adam and Crystal Luster, for which execution may issue.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

The clerk of the court may close this case.

DONE, this the 26th day of October, 2009.

 /s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE