

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

JACQUELINE WEATHERLY,)	
CYNTHIA WILLIAMS, and LYDIA)	
BURKHALTER,)	
)	
Plaintiffs,)	
v.)	Civil Action No. 2:10CV192-WHA
)	
ALABAMA STATE UNIVERSITY,)	(wo)
)	
Defendant.)	

ORDER

This cause is before the court on Alabama State University's ("ASU") Renewed Motion for Return of Appeal Bond (Doc. #286), and Renewed Motion for Entry of Satisfaction of Judgment (Doc. #287).

As a result of the trial of their claims in this case, Plaintiff Weatherly was awarded \$309,453.06; Plaintiff Williams was awarded \$392,648.23; and Plaintiff Burkhalter was awarded \$376,509.65. (Doc. #173). ASU appealed the judgment, and an Appeal Bond was approve and filed (Doc. #238). The judgment amounts were affirmed on appeal. All three Plaintiffs were subsequently awarded attorneys fees and costs. Plaintiffs Burkhalter and Williams were paid the full amounts due them, and have filed no opposition to the Motion to Return Appeal Bond and Motion for Entry of Satisfaction of Judgment.

In December 2013, the law firm of Lloyd, Gray, Whitehead & Monroe, P.C. ("the law firm"), which represents ASU, was served with a Process of Garnishment seeking garnishment of \$31,085.28 of Plaintiff Weatherly's judgment in this case. (Doc. #279-1). The garnishment was based on a December 1, 2011 judgment in favor of Alabama State University against Plaintiff Weatherly in the Circuit Court of Montgomery County, Alabama. (Doc. #284-2). The law firm

then filed a Motion to Interplead Garnished Funds in the Circuit Court of Montgomery County, which was granted. (Doc. #279-3). On February 5, 2014, ASU filed a Motion to Condemn Funds (Doc. #286-2). On February 6, 2014, the Circuit Court of Montgomery County, Alabama granted the Motion to Condemn Funds (Doc. #286-3), and the Circuit Court of Montgomery County disbursed the funds to ASU.

Plaintiff Weatherly filed a response in opposition to the Motion to Return Appeal Bond and Motion for Entry of Satisfaction of Judgment on her own behalf. In her response, Weatherly takes issue with the merits of the garnishment action, asks this court to overrule the decision of the Circuit Court of Montgomery County, and asks that ASU be made to repay interest accrued in the state court action. Under 28 U.S.C. § 1257(a), only the United States Supreme Court and not federal district courts, can review state-court judgments. Therefore, the court cannot grant Ms. Weatherly the relief she seeks.

Accordingly, the court having considered the Renewed Motion for Return of Appeal Bond and Renewed Motion for Entry of Satisfaction of Judgment, for good cause shown, the Motions (Doc. #286, 287) are hereby ORDERED GRANTED.

It is further ORDERED that the judgment against ASU has been satisfied and ASU's Appeal Bond No. 99-45-86 shall be returned to ASU following entry of this Order.

DONE this 7th day of April, 2014.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE