

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

RICHARD FLOWERS, )  
ADOC # 0000Z632, )  
 )  
Petitioner, )  
 )  
v. )  
 )  
JEFFERSON S. DUNN, )  
Commissioner, Alabama Department )  
of Corrections, )  
 )  
Respondent. )

CASE NO. 2:10-CV-579-WKW  
[WO]

**ORDER**

Before the court is the parties’ Notice and Joint Request for Dismissal. (Doc. # 80.)

As grounds, the parties state that in accordance with their Joint Stipulation filed on May 13, 2021 (Doc. # 76), on May 18, 2021, the court vacated Petitioner Richard Flowers’s original death sentence imposed by the Circuit Court of Montgomery County, Alabama, on March 9, 1998, and remanded this case to the Circuit Court of Montgomery County, Alabama, for the purpose of conducting a new sentencing hearing before that court in accordance with Alabama law. (Doc. # 78.)

On July 14, 2021, the parties notified the court that on July 8, 2021, the Circuit Court of Montgomery County, Alabama, resentenced Richard Flowers to life imprisonment without the possibility of parole. (See Doc. # 80-1.) Additionally,

because Mr. Flowers has been resentenced in accordance with the parties' settlement agreement, the parties advise that the present action should be dismissed. The parties jointly request dismissal of this action and advise that no appeal will be taken from a dismissal.

Based on careful consideration of the parties' Notice and Joint Request for Dismissal, it is ORDERED that the parties' Joint Request for Dismissal (Doc. # 80) is GRANTED and this action is DISMISSED with prejudice.

A final judgment will be entered separately.

DONE this 16th day of July, 2021.

/s/ W. Keith Watkins  
UNITED STATES DISTRICT JUDGE