

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

LOUIS HENDERSON, DANA)
HARLEY, DWIGHT SMITH,)
ALBERT KNOX, JAMES)
DOUGLAS, ALQADEER HAMLET,)
and JEFFREY BEYER, on)
behalf of themselves and)
of those similarly)
situated,)

Plaintiffs,)

v.)

KIM THOMAS, Commissioner,)
Alabama Department of)
Corrections; BILLY)
MITCHEM, Warden, Limestone)
Correctional Facility;)
FRANK ALBRIGHT, Warden,)
Julia Tutwiler Prison)
for Women; BETTINA CARTER,)
Warden, Decatur Work)
Release/ Community Work)
Center; EDWARD ELLINGTON,)
Warden, Montgomery Women's)
Facility, in their)
official capacities,)

Defendants.)

CIVIL ACTION NO.
2:11cv224-MHT
(WO)

JUDGMENT

In accordance with the opinion entered this date, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) Judgment is entered in favor of the plaintiffs and against the defendants.

(2) It is DECLARED that, with the exception of the Alabama Department of Corrections' work-release policy, its segregation policy with regard to HIV-positive prisoners violates Title II of the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq., and § 504 of the Rehabilitation Act, 29 U.S.C. § 794.

(3) The parties will be given a reasonable opportunity, jointly or separately, to propose relief to the court.

(4) By a later separate order, the court will address the unresolved challenge to the work-release policy.

DONE, this the 21st day of December, 2012.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE