

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

ROSSLON JOWERS, )  
                    )  
Plaintiff,        )  
                    ) CIVIL ACTION NO.  
v.                ) 2:12cv423-MHT  
                    ) (WO)  
STATE OF ALABAMA and     )  
WILLIAM T. WYNN, JR., in    )  
his official capacity as    )  
Chairman of the Board of    )  
Pardons and Paroles,        )  
                    )  
Defendants.        )

ORDER

Based on the representations made during the on-the-record oral argument by telephone on June 15, 2012, at 8:00 a.m., it is ORDERED that:

(1) By agreement of the parties, the name of defendant William T. Wynn, Jr. (who is sued in his official capacity only) is corrected to read William W. Wynne, Jr. The docket sheet is corrected to reflect the same.

(2) Defendants State of Alabama and Wynne's, motion to dismiss (doc. no. 9) is granted to the following

extent: plaintiff Rosslon Jowers's Fourth Amendment claims against the defendants State of Alabama and Wynne are dismissed by agreement of the parties; plaintiff Jowers's 42 U.S.C. § 1983 claims against the defendant State of Alabama are dismissed; plaintiff Jowers's § 1983 claims against defendant Wynne insofar as the claims seek money damages are dismissed; plaintiff Jowers's claims under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 1981a, 2000e through 2000e-17, against defendant Wynne are dismissed.

(3) By agreement of the parties, the Alabama Board of Pardons and Paroles is substituted for the State of Alabama as the defendant on plaintiff Jowers's Title VII claims. The State of Alabama is thus terminated as a party in this case.

(4) The motion to dismiss (doc. no. 9) is denied in all other respects.

It is further ORDERED that the only remaining claims and parties are: (1) the race and sex discrimination

claims against defendant Alabama Board of Pardons and Paroles under Title VII and (2) the race and sex discrimination claims against defendant Wynne seeking injunctive relief under § 1983 (the statutory enforcement provision for the Equal Protection Clause of the Fourteenth Amendment).

DONE, this the 15th day of June, 2012.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE