

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

JAMES HOYT MIDDLETON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 2:13-cv-190-MEF
	)	(WO – Do not publish)
ALABAMA CVS PHARMACY,	)	
L.L.C.	)	
	)	
Defendant.	)	

**ORDER**

Now pending before the Court are James L. Middleton’s (“Mr. Middleton”) unopposed Motion to Substitute Parties (Doc. #7) and Motion for Leave to Amend (Doc. #8), in which Mr. Middleton requests that he, as Administrator and Personal Representative of the Estate of the late James Hoyt Middleton, be substituted as the proper party plaintiff in this matter. Having found that Mr. Middleton has satisfied the requirements of Federal Rule of Civil Procedure 25(a)(1), which governs the substitution of parties where the claim is not extinguished by the death of a party, it is hereby ORDERED as follows:

- (1) Mr. Middleton’s Motion to Substitute Parties (Doc. #7) is GRANTED.
- (2) Mr. Middleton’s Motion for Leave to Amend (Doc. #8) is GRANTED.

(3) The Clerk of Court is DIRECTED to substitute James L. Middleton, Administrator and Personal Representative of the Estate of the late James Hoyt Middleton, as the proper party plaintiff in the style of this case and throughout the record.

DONE this the 22<sup>nd</sup> day of May, 2013.

\_\_\_\_\_  
/s/ Mark E. Fuller  
UNITED STATES DISTRICT JUDGE