

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

TYANIS LAWRENCE,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	2:17cv611-MHT
)	(WO)
CHRISTOPHER WEST,)	
individually and in his)	
official capacity, et al.,)	
)	
Defendants.)	

ORDER

Before the court is defendants' motion to stay discovery and all Rule 26 obligations (doc. no. 24). Defendants seek a stay of discovery pending the resolution of their motion to dismiss, which asserts that all claims against defendants Lowndes County, the entity designated by the plaintiff Tyanis Lawrence as Lowndes County Sheriff's Office, and Christopher West in his official capacity are due to be dismissed on various immunity theories. Lawrence does not object to the stay regarding the defendants asserting immunity, and it is in the interest of both the parties and

judicial efficiency to decide the threshold question of immunity prior to permitting discovery. See *Howe v. City of Enterprise*, 861 F.3d 1300, 1302 (11th Cir. 2017) (emphasizing the importance of resolving questions regarding immunity at the earliest stage of litigation, as "immunity is a right not to be subjected to litigation beyond the point at which immunity is asserted.") However, because defendants do not argue that West is entitled to immunity in his individual capacity, there is no reason to stay those discovery obligations.

Accordingly, it is ORDERED as follows:

- (1) Defendants' motion to stay (doc. no. 24), as it pertains to defendants Lowndes County, Lowndes County Sheriff's Office, and Christopher West in his official capacity, is granted.
- (2) Defendants' motion to stay (doc. no. 24), as it pertains to defendant West in his individual capacity, is denied.

(3) Defendants are directed to preserve all relevant evidence in defendants' possession.

DONE, this the 16th day of January, 2018.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE