

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

NOAH WILLIAM WHITE,)	
)	
Plaintiff,)	
v.)	CASE NO. 3:10-cv-780-MEF
)	(WO – Do not publish)
MIKE PARRISH, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Noah White is lucky to be alive to file this lawsuit. On September 21, 2008, the Chambers County Sheriff’s Office received a call from White’s frightened father reporting that White was armed and extremely dangerous. White’s father stated that his son had snapped sometime after the family finished dinner, and had then collected all the guns and ammunition in his family’s home, threatened to kill him, and gone to his uncle’s house.

Deputy Sheriff Shannon Rollins arrived at White’s uncle’s house with other deputies to follow up on the call. Within seconds of the deputies’ arrival, White shot Rollins to the ground and disappeared. More deputies and a canine were called to the scene to help apprehend White. White hid from law enforcement for about an hour but finally gave his position away when he fired some shots from behind a barn on the property. After yelling threats at the officers, White managed to steal a marked Sheriff’s Department Dodge Durango. Once in the Durango, White shined the headlights toward a truck that some deputies had taken cover behind and declared over the Durango’s loud speaker, “I’m the Sheriff now,” and “Let’s do this.” Then White drove the Durango toward a group of deputies

(the very ones he is now suing), spraying gunfire out the car window. The deputies returned fire.

In this spaghetti-western stand-off, which culminated in White's arrest, White was shot and injured. On these facts, White brings a § 1983 action, claiming that, in shooting him, the deputies used excessive deadly force in violation of his Fourth Amendment right to be arrested in a reasonable manner. On June 12, 2013, the Magistrate Judge filed a Recommendation (Doc. #58) that the deputies' Motions for Summary Judgment be granted on qualified immunity grounds. White has not objected to the Recommendation. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is the

ORDER, JUDGMENT and DECREE of the Court that:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. Defendants' motions for summary judgment (Docs. #28 & 33) are GRANTED and this case is DISMISSED with prejudice.

DONE this the 3rd day of July, 2013.

/s/ Mark E. Fuller

UNITED STATES DISTRICT JUDGE