

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
JASPER DIVISION**

A.C. GLOVER,)	
)	
Plaintiff,)	
)	
v.)	Case No. 6:15-cv-00651-AKK-HNJ
)	
CORIZON MEDICAN SERVICE, et)	
al.,)	
)	
Defendants.)	

MEMORANDUM OF OPINION

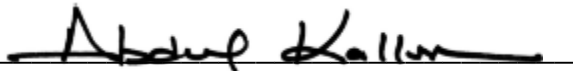
On March 29, 2017, the defendants filed a Notice of Suggestion of Death. (Doc. 18). Attached thereto is Corizon’s Sentinel Event Notification Form completed by the Director of Nursing at Hamilton A & I. (*Id.* at 3). The form designates the plaintiff as dying on March 20, 2017. (*Id.*). On April 24, 2017, United States Magistrate Judge Harwell G. Davis, III directed the defendants to serve the Notice of Suggestion of Death “on the appropriate county administrator and any known relatives of the plaintiff and file a report of their efforts in that regard. (Doc. 20). The same day, the defendants moved to dismiss this action on the ground that “no person has come forward . . . to prosecute this matter on behalf of the deceased, A.C. Glover.” (Doc. 21). On April 28, 2017, the undersigned denied the defendants’ Motion to Dismiss as premature in light of Magistrate Judge Davis’s order. (Doc. 24).

On July 27, 2017, the defendants notified the court that they served copies of the Complaint, Suggestion of Death, and the April 24, 2017, order (docs. 1, 18, 20) via certified mail and U.S. First Class mail to the Marion County, County Administrator, c/o Marion County Probate Court, 132 Military St. S., Hamilton, Alabama, 35570; Ms. Hattie Bynum, 105 West 168th Street, Bronx, NY 10542; and Ms. Florence Glover, 546 South 17th Avenue, Mount Vernon, NY 10550 (doc. 32). The same day, United States Magistrate Judge Herman N. Johnson ordered the administrator and/or a representative of the plaintiff's estate to file an appearance in this case on or before August 27, 2017, if he or she intended to continue the prosecution of the case.

As of the date of this Order, no one has filed an appearance in the plaintiff's behalf. Accordingly, the order (doc. 24) denying the defendants' Motion to Dismiss is **VACATED**, the motion (doc. 21) is **GRANTED**, and this action is due to be **DISMISSED WITH PREJUDICE**.

A Final Judgment will be entered.

DONE the 7th day of September, 2017.


ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE