

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


**RANDOLPH WAYNE PARKER, JR.,**                    }  
  }  
                  **Plaintiff,**                                    }  
  }  
**v.**    }  
  }  
**LIEUTENANT THOMAS BUTLER,**                    }  
**SERGEANT ANN MARIE FULGHAM**                }  
**and OFFICER NEICKO WHITE,**                    }  
  }  
                  **Defendants.**                                }

**Case No.: 7:12-cv-03503-RDP-JHE**

**ORDER**

In accordance with the accompanying Memorandum Opinion, Defendants’ special report (Doc. # 28) is construed as a motion for summary judgment (Doc. # 39) which is **DENIED**. This action is **REFERRED** to the Magistrate Judge for further proceedings.

**DONE and ORDERED** this July 18, 2014.

  
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**R. DAVID PROCTOR**  
UNITED STATES DISTRICT JUDGE