

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

J.C. PENNY LIFE INSURANCE)	
COMPANY,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 01-0048-CG
)	
JO ANN WALKER, <u>et. al.</u>)	
)	
Defendants.)	
)	
)	

ORDER

This matter is before the court on the request by Janice Walker, a defendant in the above-referenced interpleader action, for the disbursement of funds being held by the court in an interest-bearing account for her benefit until she reaches 21 years of age. (Doc. 76). These funds are being held by the court pursuant to Judge Hand's April 9, 2002, order (Doc. 46), which states that "[a]t the time that Janice L. Walker, now six years old, reaches twenty[-one] (21) years old, she then must write a letter to the Clerk of this Court requesting the payment of the remainder of the funds held in the aforementioned account and [attach] to the letter a copy of her current driver's license and social security number." (Doc. 46 at 3).

Ms. Walker states that she is now eighteen years old. (Doc. 76). She further asserts that she is attending an unnamed private school while also taking unspecified college courses to prepare for nursing classes at some

point in the future. Id. To pay for her enrollment in the private school and various courses, Walker has requested that the court release the funds being held pursuant to the 2002 order (Doc. 46). Ms. Walker did not attach a copy of her driver's license and did not include her social security number. Id.

Previously, in 2004, Judge Hand permitted the release of funds to Ms. Walker's brother, Allen Walker, before his 21st birthday. (Doc. 67). Mr. Walker submitted a two-page letter to the court (Doc. 66) in which he specified that he had graduated from high school, had taken classes at Alcorn State University ("Alcorn State"), and had recently transferred to ITT Technical Institute ("ITT") in order to obtain a degree in computer networking. Id. Mr. Walker included copies of his driver's license, social security card, and student ID from Alcorn State. Id. at 8. More importantly, Mr. Walker submitted his Fall 2004 class schedule from ITT, which reflected the fact that he was actually enrolled and taking courses. Id. at 9.

Given the lack of information and documentation that characterizes Ms. Walker's request for early disbursement of funds, especially when compared with the specific and detailed request filed by her brother in 2004, her request is hereby **DENIED WITHOUT PREJUDICE** and with leave to resubmit the request with documentation which (1) states the name of the private school Ms. Walker attends, (2) establishes her registration as a high school student there, (3) states her anticipated date of graduation, (4) states the name of the institution where she is taking college courses, and includes

either her class schedule or other proof of registration. Should she resubmit her request as detailed above, Ms. Walker is also directed to submit a copy of her driver's license and social security number, as required by Judge Hand's 2002 order. If all of the required items are submitted with a new request, the court will then take the request under submission.

DONE and **ORDERED** this 15th day of January 2013.

/s/ Callie V. S. Granade
UNITED STATES DISTRICT JUDGE