

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

TERESA HALL,

Plaintiff,

v.

INFIRMARY HEALTH SYSTEM,

Defendant.

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CIVIL ACTION 06-0791-WS-B

ORDER

This closed matter comes before the Court on a Report and Recommendation (doc. 61) recommending that plaintiff's counsel, George Edward Jones, III, be held in contempt of court due to his repeated failure to comply with court orders. On August 25, 2008, the undersigned entered an Order (doc. 63) giving Mr. Jones one final chance to avoid being held in contempt. In particular, that Order explained that no finding of contempt would be made if he paid the final \$200 outstanding on the \$500 fine imposed by Magistrate Judge Bivins on or before September 25, 2008. The August 25 Order cautioned that "[i]f ... Mr. Jones fails to make that final payment in a timely manner, the Court will promptly enter an Order adopting the Report and Recommendation and declaring Mr. Jones to be in contempt of court. In view of Mr. Jones' lengthy history of not responding to court orders in this matter, it is not anticipated that any further extensions will be appropriate." (Doc. 63, at 2.) The court file reflects that Mr. Jones signed a certified mail receipt confirming his actual receipt of the August 25 Order on September 10, 2008. (*See* doc. 64.)

As he has done on so many occasions in this case when ordered by a judge in this District Court to take a specific action within a certain period of time, Mr. Jones has simply ignored the August 25 Order. He has not paid the remaining portion of the fine. He has not filed any response to the August 25 Order. He has not contacted chambers or the Clerk of Court. He has done nothing. The Court cannot turn a blind eye to Mr. Jones' flagrant, recurring conduct of flouting lawful orders in this case. Nor is this Court willing to extend any further second

chances to Mr. Jones. He has squandered one opportunity after another to avert the outcome that this Court reaches today.

Based on his continuing disregard of court orders in this case, Mr. Jones has left this Court with no reasonable alternative but to hold him in contempt. Accordingly, after due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the Report and Recommendation (doc. 61) entered by Magistrate Judge Bivins on July 24, 2008 pursuant to 28 U.S.C. § 636(b)(1)(B) is hereby **adopted** as the opinion of this Court. Mr. Jones is hereby **held in civil contempt of court** for failure to discharge the monetary sanctions imposed against him by Magistrate Judge Bivins in this case back on February 28, 2008.

The Clerk of Court is **directed** to mail a copy of this Order to Mr. Jones via certified mail, return receipt requested, at the following address: 603 Alabama Avenue, Selma, Alabama 36702-0381.

DONE and ORDERED this 2nd day of October, 2008.

s/ WILLIAM H. STEELE
UNITED STATES DISTRICT JUDGE