

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

ROBERT CONRAD, #226791,	:	
Plaintiff,	:	
vs.	:	CIVIL ACTION 17-0107-TFM-N
JEFFERSON DUNN, et al.,	:	
Defendants.	:	

ORDER

This action is before the Court on Defendant Michael Harrison's Motion for an Extension (Doc. 116, PageID.1020) seeks an extension until February 3, 2020 to file his answer and special report. Upon consideration of the Motion, the Motion is **GRANTED, in part**, to the following extent. Defendant Harrison is **ORDERED** to file his answer and special report no later than **January 21, 2020**.

Review of the Court's file reflects that Defendant Mallorie Mixon has not been able to be served after several attempts. Counsel for correctional Defendants is **ORDERED** to provide no later than **January 21, 2020** Defendant Mixon's address **only to the Court under seal** so service may be attempted again on Mixon. However, inasmuch as the earlier affidavits provided by Mixon, in other cases based on the same circumstances of this case, provide that Mixon was not present at Holman on November 9, 2016, has never been to Holman, and was only employed by ADOC as a drug treatment counselor at Ventress Correctional Facility from February 2015 to May 2017 (*see Griggs*, CA No. 16-

0626-JB-MU, Doc. 122-5, PageID.733), Plaintiff is **ORDERED** no later than **January 17, 2020** to advise the Court, in writing, if he wants to dismiss Defendant Mixon and his claims against her from this action in order to avoid the expenditure of time and resources in obtaining service on Defendant Mixon. See Mixon's affidavits in *Robinson*, 17-0075-TFM-MU (Doc. 116-4, PageID.459 (same)); *Faulkner*, CA No. 17-0077-JB-MU (Doc. 103-2, PageID.744 (same), Doc. 128, PageID.849 – Recommended dismissal of Mixon, among others, Doc. 135, PageID.944 – final order of dismissal of Mixon entered January 7, 2020).

DONE and **ORDERED** this 9th day of January, 2020.

/s/ KATHERINE P. NELSON
UNITED STATES MAGISTRATE JUDGE