

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

**LEDELL LEE, ADC # 97101;
JASON McGEHEE; STACEY
JOHNSON; BRUCE WARD;
MARCEL WILLIAMS; and
KENNETH WILLIAMS**

PLAINTIFFS

v.

**No. 4:17-cv-194-DPM
No. 4:17-cv-195-DPM
No. 4:17-cv-196-DPM
No. 4:17-cv-197-DPM
No. 4:17-cv-198-DPM
No. 4:17-cv-199-DPM**

**ASA HUTCHINSON, in his
official capacity as Governor
of Arkansas; WENDY KELLEY,
in her official capacity as
Director of the Arkansas
Department of Correction;
JOHN FELTS, JOHN BELKEN,
ANDY SHOCK, DAWNE
BENAFIELD VANDIVER,
JERRY RILEY, ABRAHAM
CARPENTER, JR., and LONA
H. McCASTLAIN, all in their
official capacities as Members
of the Arkansas Parole Board**

DEFENDANTS

JACK HAROLD JONES, JR.

INTERVENOR

ORDER

1. The Court appreciates the supplemental status report from the State Defendants, *No* 79.

2. The Court dismisses Stacey Johnson's claims without prejudice as moot. He remains under a death sentence; but this case was about the clemency proceedings connected with his last execution date, which was stayed by the Arkansas Supreme Court. *Johnson v. State*, 2017 Ark. 138, 1 (2017). *Roberts v. Norris*, 415 F.3d 816, 819 (8th Cir. 2005).

3. The Governor has commuted Jason McGehee's death sentence to life without parole. *No* 79-1. The Court therefore dissolves its preliminary injunction, *No* 32 at 2. McGehee's claims are now moot, too. *Roberts*, 415 F.3d at 819.

4. The Court has addressed, in one way or another, all claims by all plaintiffs in this consolidated case. The Court therefore separates the cases and will enter judgment in each, dismissing the complaint without prejudice.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

16 October 2017