

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