

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

COMMUNITY STATE BANK

PLAINTIFF

v.

Case No. 4:18-cv-4078

MAXINE WILSON; CARRIE W.
WINFORD, ADMINISTRATRIX
FOR THE ESTATE OF JENNIFER
HARTING WILSON; and J. SCHUYLER
MARVIN, DISTRICT ATTORNEY

DEFENDANTS

GARY WILSON

INTERVENOR

AMENDED ORDER

The Court's April 25, 2022, order (ECF No. 144) is hereby amended to reflect that on October 30, 2019, the Court ordered (ECF No. 92) that the *res* at issue, \$255,209.47, be deposited into the Court registry and \$6,081.91 of that amount be distributed to Plaintiff's counsel. Accordingly, a principal balance of \$249,127.56 remained to be contested between the parties. That amount will be paid to Intervenor Gary Wilson, plus any interest accrued.

Before the Court is the parties' Joint Stipulation of Dismissal. (ECF No. 143). No response is necessary. The matter is ripe for consideration.

The parties have settled all remaining issues and stipulate to this case's dismissal with prejudice, with the *res* at issue being paid to its rightful owner, Intervenor Gary Wilson. The parties also stipulate that they will bear their own fees and costs.

An action may be dismissed by "a stipulation of dismissal signed by all parties who have appeared." Fed. R. Civ. P. 41(a)(1)(A)(ii). The instant stipulation of dismissal is signed by the remaining parties to this case, Defendant J. Schuyler Marvin and Intervenor Gary Wilson.

Pursuant to the parties' settlement agreement, the Clerk of Court shall disburse to Intervenor Gary Wilson the remaining principal amount of the interpleaded funds deposited into the registry of the Court in connection with this case, plus any interest accrued. Accordingly, pursuant to 42 U.S.C. § 2042, the Clerk of Court is **DIRECTED** to issue a check in the amount of \$249,127.56, along with any interest accrued, payable to Gary Wilson, at the following address: Montgomery Law Firm, PLLC and Gary Wilson, P.O. Box 785, Hope, Arkansas 71802. This case is hereby **DISMISSED WITH PREJUDICE**. The parties shall bear their own fees and costs. If any party desires that the terms of settlement be a part of the record therein, those terms should be reduced to writing and filed with the Court within thirty (30) days of the entry of this judgment. The Court retains jurisdiction to vacate this order upon cause shown that the settlement has not been completed and further litigation is necessary.

IT IS SO ORDERED, this 26th day of April, 2022.

/s/ Susan O. Hickey
Susan O. Hickey
Chief United States District Judge