

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

DOUGLAS ECHOLS,)
)
Plaintiff,)
)
v.)
)
SPENCER LAWTON, in his)
individual capacity,)
)
Defendant.)
_____)

CASE NO. CV408-023

CLERK
SO. DIST. OF GA.

2014 SEP 24 PM 1:26

FILED
U.S. DISTRICT COURT
SAVANNAH, GA.

O R D E R


Before the Court is Defendant's Motion to Dismiss Amended Complaint by Special Appearance. (Doc. 29.) The Court's review of this case indicates that it was administratively stayed pursuant to the Magistrate Judge's order granting Defendant's Motion to Stay Discovery. (Doc. 9.) As a result, the case was flagged as "stayed" by the Clerk of Court and the Court took no action. Subsequently, Defendant filed his Motion to Dismiss. Unfortunately, the Clerk of Court's "stay" flag erroneously operated as a stay of the entire case, causing the Court to never receive notice that Defendant's motion was due for adjudication.

Having realized its error, the Clerk of Court removed the "stay" flag and the Court is now advised both that this case is on its three-year calendar and that the Motion to Dismiss is on its six-month list. Given the age of this

case, however, the Court is uncomfortable simply ruling on Defendant's motion. Indeed, the original motion is almost six years old, while the latest briefing is almost five years old. Therefore, the Court feels the proper course of action is to permit the parties to supplement their briefs as they see fit.

Accordingly, the Clerk of Court is **DIRECTED** to administratively terminate this case, including all pending motions, for **forty-five days** from the date of this order, during which time the parties are permitted to file supplemental briefing with respect to Defendant's Motion to Dismiss. The supplemental briefing will be simultaneous and neither party will have an opportunity to file any response. At the conclusion of the forty-five day window, the case shall be reopened and the Court will promptly assess the merits of Defendant's motion.

SO ORDERED this 24th day of September 2014.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA