

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

VALERIE STOREY, Individually)
and as Executrix of the)
ESTATE OF KENNETH CARTEE,)
)
Plaintiffs,)

v.)

EFFINGHAM COUNTY,)
JIMMY MCDUFFIE, Individually,)
JIMMY MCDUFFIE, in his)
official capacity as Effingham)
County Sheriff,)
TRANSFORMHEALTHRX, INC.,)
EFFINGHAM COUNTY BOARD)
OF COMMISSIONERS,)
ASHBY LEE ZYDONIK, Deputy,)
BRYAN SHEARHOUSE, Corporal,)
et al.)
)
Defendants.)

Case No. CV415-149

ORDER

The Court **GRANTS** the parties’ Joint Motion to Stay these proceedings in light of plaintiff/executrix Valerie Storey’s death. Doc. 128. But it also **DIRECTS** the Clerk to **ADMINISTRATIVELY CLOSE** this case without prejudice to the right of any party with standing to reopen it. *See, e.g., In re Heritage Southwest Medical Group PA*, 464 F. App’x 285, 287 (5th Cir. 2012) (“administrative closure does

not have any effect on the rights of the parties and is simply a docket-management device.”). This will spare the parties the stress and expense of juggling deadlines pending completion of the Probate Court proceedings (*see* doc. 128 at 3-4) required to replace the executrix. Upon reopening, the parties shall confer and present a new Scheduling Order within 14 days.¹ Gateway Behavioral Health Services’ motion to quash a defense subpoena (doc. 125) is thus administratively **DENIED** without prejudice to renew it when this case is re-opened.

SO ORDERED, this 3rd day of August, 2016.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA

¹ Should this litigation settle, any party with standing may move to reactive this case if settlement-enforcement is sought. *See Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 381-82 (1994); *Am. Disability Ass'n v. Chmielarz*, 289 F.3d 1315, 1320 (11th Cir. 2002). Alternatively, the parties may elect to take no further action -- they will have settled, after all -- in which case this action will simply remain closed. *Atlantic Cas. Ins. Co. v. Suchil*, 2015 WL 1951798 at * 1 (S.D. Ga. Apr. 28, 2015).