

IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF ILLINOIS  
SPRINGFIELD DIVISION

ESTATE OF AMON PAUL )  
CARLOCK, JR., Deceased, by )  
Mary L. Andreatta-Carlock, )  
Executor, )

Plaintiff, )

v. )

No. 08-3075

NEIL WILLIAMSON, )  
AS SHERIFF OF SANGAMON )  
COUNTY, ILLINOIS, et al., )

Defendants. )

OPINION

JEANNE E. SCOTT, U.S. District Judge:

This matter comes before the Court on the Motion by Defendant, Neil Williamson, as Sheriff of Sangamon County, to Order a Separate Trial Upon Count IV and Stay of Discovery (d/e 48). The Court may order separate trials for the convenience of the parties, to avoid prejudice, and to promote judicial economy. Fed. R. Civ. P. 42(b). Count IV is the municipal liability claim against Sheriff Williamson in his official capacity as Sheriff of Sangamon County. Second Amended Complaint (With Added

Parties) (d/e 35), Count IV (Municipal Liability Claim).

The Court has considered this matter carefully and has determined not to stay discovery. Such a stay would not promote judicial economy and could cause unreasonable delays. The Court, further, will not order a separate trial for Count IV at this time. Sheriff Williamson has not identified the evidence that the Plaintiff intends to use to prove the Municipal Liability Claim, and so the Court cannot evaluate the possible prejudice by conducting a single trial. Sheriff Williamson, or any other party, may renew the request for separate trials after discovery is completed.

THEREFORE, the Motion by Defendant, Neil Williamson, as Sheriff of Sangamon County, to Order a Separate Trial Upon Count IV and Stay of Discovery (d/e 48) is DENIED, with leave to renew the request for a separate trial at the close of discovery.

IT IS THEREFORE SO ORDERED.

ENTER: November 21, 2008

FOR THE COURT:

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s/ Jeanne E. Scott  
JEANNE E. SCOTT  
UNITED STATES DISTRICT JUDGE