

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

CORBIN D. JONES, # 01-30-1989-46,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 17-cv-337-JPG
)	
NEILL MOONEY,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

GILBERT, District Judge:

This matter is before the Court for consideration of Plaintiff’s motion to lift the stay (Doc. 17). On June 28, 2017, the Court stayed this case pursuant to *Younger v. Harris*, 401 U.S. 37 (1971), because Plaintiff’s criminal case in *People v. Jones*, Jefferson County Case No. 17-CF-69 was still pending. (Doc. 15). The Court had previously concluded that Counts 1 and 2 of Plaintiff’s Complaint stated claims that survived review under 28 U.S.C. § 1915A. (Doc. 12). The Complaint was sent to Defendant Mooney, and he returned his signed Waiver of Service of Summons form on June 21, 2017. (Doc. 14). Mooney was directed not to submit an answer or other response while the stay was in effect.

In his motion, Plaintiff reports that Jefferson County Case No. 17-CF-69 has been dismissed, because the substance in his possession at the time of his arrest was found to be sea salt, rather than an illegal substance. (Doc. 17, p. 1). Plaintiff has been released from jail and wishes to move forward with his case. His motion shall be granted.

IT IS HEREBY ORDERED that Plaintiff’s motion (Doc. 17) is **GRANTED** and the stay of this case is **LIFTED**.

IT IS FURTHER ORDERED that **MOONEY** shall file and serve his answer to the Complaint (Doc. 1) or a motion under Rule 12 within 60 days from the date of this Order.

IT IS SO ORDERED.

DATED: September 5, 2017

s/J. Phil Gilbert
United States District Judge