

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

KEVIN HOULE AND HARVEY REESE, and
T.H., by his next friend, ROSE HOULE,
A.R., by her next friend, TONJA PARKER,

Case Numbers: 09-10504
 09-10535

Plaintiffs,

HON. MARIANNE O. BATTANI

v.

BARBARA SAMPSON, chair of the
Michigan Parole Board, and the nine board
members: JAMES ATTERBERRY, MIGUEL
BERRIOS, CHARLES BROWN, PAUL
CONDINO, STEPHEN DEBOER, ARTINA
HARDMAN, ANTHONY KING, DAVID
KLEINHARDT, AND LAURIN THOMAS, in
their official capacities,

Defendants.

**ORDER DENYING DEFENDANTS' MOTIONS TO DISMISS AND ADJOURNING
PLAINTIFFS' MOTIONS FOR PRELIMINARY INJUNCTION**

This matter is before the Court on Defendants' Motions to Dismiss (09-10504 doc. 25; 09-10535 doc. 21), and Plaintiffs' Motions for Preliminary Injunction (09-10504 doc. 9; 09-10535 doc. 8). For the reasons discussed on the record at a hearing held on June 3, 2009,

The Court **DENIES** both of Defendants' Motions to Dismiss.¹

¹ In a separate order issued on this date, the Court dismissed Plaintiffs Harvey Reese and A.R. from the case *sua sponte* because their claims were moot.

In addition, the Court **ADJOURNS** both of Plaintiffs' Motions for Preliminary Injunction. A hearing on these motions will be held on **Monday, August 17, 2009 at 2:30 p.m.**² The parties may perform discovery through August 7, 2009. Defendants may file an additional brief by August 3, 2009, and Plaintiffs may file an additional brief by August 12, 2009.

IT IS SO ORDERED.

s/Marianne O. Battani
MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE

Dated: June 8, 2009

CERTIFICATE OF SERVICE

Copies of this Order were served upon counsel of record on this date by ordinary mail and/or electronic filing.

s/Bernadette M. Thebolt
Deputy Clerk

² The parties should note that this hearing has been moved from the original August 26, 2009, date.