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

DASHUNA RICHARDS and EDDIE HARRIS,

Plaintiffs,

Civil Case No. 16-13520 Honorable Linda V. Parker

v.

CITY OF JACKSON and MATHEW PETERS, in his individual and official capacities,

Defendants.	
	/

## OPINION AND ORDER GRANTING DEFENDANT'S MOTION FOR STAY OF PROCEEDINGS (ECF NO. 64)

Defendant, Mathew Peters, filed a Notice of Appeal from this Court's August 27, 2018 Order granting, in part, and denying, in part, Defendants' Motion for Summary Judgment. (ECF Nos. 45, 59 & 62.) In due course, Defendant has requested the Court, through the instant motion, to stay proceedings pursuant to Fed. R. Civ. P. 62(b)(4) and Fed. R. App. P. 8(a)(1)(A). (ECF No. 64.)

A proper notice of appeal divests the district court of jurisdiction and transfers jurisdiction to the court of appeals. *Lewis v. Alexander*, 987 F.2d 392, 394 (6<sup>th</sup> Cir. 1993). Therefore, as a matter of course, the Court will grant Defendant's motion for stay of proceedings pending the disposition of Defendant's appeal.

Accordingly,

IT IS ORDERED that Defendant's motion for stay of proceedings (ECF

No. 64) is **GRANTED**.

IT IS SO ORDERED.

s/ Linda V. Parker LINDA V. PARKER U.S. DISTRICT JUDGE

Dated: October 15, 2018

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, October 15, 2018, by electronic and/or U.S. First Class mail.

s/ R. Loury
Case Manager