

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RICHARD LOUIS HALL,

Plaintiff,

v.

JOHN DOE POLICE OFFICERS,

Defendants.

Case No. 15-12971

Honorable John Corbett O'Meara

ORDER OF DISMISSAL

On December 9, 2015, this court entered an order granting defendants City of Detroit and its police officers' October 14, 2015 motion to dismiss. Plaintiff Hall appealed the decision to the United States Court of Appeals for the Sixth Circuit. On June 17, 2016, the appellate court affirmed this court's order regarding defendant City of Detroit and remanded the portion of the action concerning the unnamed police officers.

In its June 2016 order, the Court of Appeals noted, "naming 'John Doe' defendants cannot be used to circumvent the applicable statute of limitations, *see Cox v. Treadway*, 75 F.3d 230, 240 (6th Cir. 1996), and Hall's complaint concerns events that happened in October 2011." Hall v. City of Detroit, No. 15-2541 (6th Cir. June 17, 2016). The appellate court further pointed out Michigan's applicable three-year

statute of limitations period, as well as the fact that "a district court has the authority to raise a limitations bar sua sponte, *see Alston v. Tenn. Dept' of Corr*, 28 F. App'x 475, 476 (6th Cir. 2002)." Id. at 3.

Plaintiff Hall filed this action August 20, 2015, regarding events that allegedly occurred in October 2011. This court finds that Hall's claims against the John Doe defendants are therefore barred by Michigan's statute of limitation. See Harrison v. Michigan, 722 F.3d 768, 772 (6th Cir. 2013). Accordingly, it is hereby **ORDERED** that this action is **DISMISSED** in its entirety.

s/John Corbett O'Meara
United States District Judge

Date: November 22, 2016

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, November 22, 2016, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager