

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION

UNITED STATES OF AMERICA  
upon the relation and for the use of the  
TENNESSEE VALLEY AUTHORITY,

Plaintiff

v.

CIVIL ACTION NO.: 1:17cv192-SA-DAS

AN EASEMENT AND RIGHT-OF-WAY  
OVER 0.61 ACRE OF LAND,  
MORE OR LESS, IN CLAY COUNTY,  
MISSISSIPPI, and  
ANNETTE SMITH MILLER,  
TYRONE SMITH,  
JOYCE SMITH ROGERS,  
DENNIS SMITH,  
STANLEY SMITH,

Defendants

**ORDER OF POSSESSION**

Pursuant to 40 U.S.C. §§ 3114-3118 (2012), which authorizes the Court “to give the Government immediate possession of the [condemned] property,” *United States v. Miller*, 317 U.S. 369, 381 (1943), it is hereby **ORDERED** that the Tennessee Valley Authority, as agent of the United States of America, be put into immediate possession of the property described in the Declaration of Taking filed in this action to the extent necessary to permit the Tennessee Valley Authority to carry on any of its operations described in the pleadings filed herein, and that the Defendant in such action surrender possession of said property to the Tennessee Valley Authority accordingly.

**DONE**, this 7th day of February, 2018.

/s/ Sharion Aycock  
**U.S. DISTRICT JUDGE**