

**IN THE UNITED STATES DISTRICT  
COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION**

**ANDRE WILLIAMS**

**PLAINTIFF**

v.

**NO. 2:11CV242-WAP-JMV**

**TUNICA COUNTY ARENA &  
EXPOSITION CENTER, INC.**

**DEFENDANT**

**ORDER**

Before the court is Diamond State Insurance Company's motion to sever (# 21), filed December 27, 2011. Specifically, Diamond seeks an order severing the Third-Party Plaintiff's Amended Third-Party Complaint for Declaratory Judgment from the underlying tort action. On December 23, 2011, the plaintiff filed a motion to remand this action to state court. And, on December 27, 2011, the court stayed this action pending a decision on the remand motion. Accordingly, the instant motion is denied without prejudice, and movant may reurge the motion in the event the motion to remand is denied.

**SO ORDERED** this 3<sup>rd</sup> day of January, 2012.

/s/ Jane M. Virden  
UNITED STATES MAGISTRATE JUDGE