

**UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**LESLY GATHERIGHT**

**PLAINTIFF**

vs.

**CIVIL ACTION NO. 3:16-CV-003-GDD-SAA**

**FORMER MISSISSIPPI GOVERNOR HALEY BARBOUR;  
ATTORNEY GENERAL JIM HOOD; DISTRICT ATTORNEY  
BEN CREEKMORE; ASSISTANT DISTRICT ATTORNEY LON  
STALLINGS; FORMER ASSISTANT DISTRICT ATTORNEY  
HONEY USSERY; ASSISTANT DISTRICT ATTORNEY MICKEY  
MALLETTE; CALHOUN COUNTY DEPUTY DEWAYNE  
WINTER; AND CALHOUN COUNTY JUSTICE COURT CLERK  
TRACY MCGUIRT**

**DEFENDANTS**

**ORDER STAYING CASE**

The State Defendants, former Governor Haley Barbour, Attorney General Jim Hood, District Attorney Ben Creekmore, Assistant District Attorney Lon Stallings, former Assistant District Attorney Honey Ussery, and Assistant District Attorney Mickey Mallette, have filed motions to dismiss the above-styled case on the basis of, *inter alia*, Eleventh Amendment immunity, absolute immunity, and state sovereign immunity. *See* Docket Nos. 14, 16, 18, 20, 22, 24.

Under Rule 16(b)(3)(B) of the Uniform Local Rules of the United States District Courts for the Northern and the Southern Districts of Mississippi, “[f]iling a motion to compel arbitration, or a motion asserting an immunity defense or jurisdictional defense stays the attorney conference and disclosure requirements and all discovery, pending the court’s ruling on the motion, including any appeal.”

ACCORDINGLY, IT IS ORDERED that all conferences, disclosure requirements,

discovery, and proceedings in this case are stayed, other than additional immunity motion practice, pending full briefing and ruling on the motions to dismiss. Counsel for state defendants is directed to notify the undersigned within seven days of a ruling on the motions to dismiss.

This, the 9<sup>th</sup> day of March, 2016.

/s/ S. Allan Alexander  
UNITED STATES MAGISTRATE JUDGE