## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI WESTERN DIVISION

VERNITA BELL, INDIVIDUALLY and on Behalf of E.A.B., Deceased;

K.A., by and Through Jestina Alsworth, Her Natural Mother, Adult Next Friend and Guardian Ad Litem;

JESTINA ALSWORTH INDIVIDUALLY AND ON BEHALF OF T.A. AND M.A., DECEASED;

P.F. BY AND THROUGH PATRICIA FELTON, HER NATURAL MOTHER, ADULT NEXT FRIEND AND GUARDIAN AD LITEM

S.D., BY AND THROUGH BRENDA DOSS, HER NATURAL MOTHER, ADULT NEXT FRIEND AND GUARDIAN AD LITEM;

KATIE COLENBURG, INDIVIDUALLY AND ON BEHALF OF L.C., DECEASED;

THELMA SANDERS;

CARL ELLIS;

JOHN SCOTT;

MARY CULBERT;

BETTY SCOTT;

JAMES SCOTT;

BERTHA FRANKLIN; AND

LEVANDER DAVIS

PLAINTIFFS

VS.

CIVIL ACTION NO. 5:09-cv-00192-DCB-JMR

TEXACO, INC.;

CHEVRON CORPORATION;

ESTATE OF W. JOE BROWN;

W. JOE BROWN D/B/A BROWN AUTO PARTS;

SOUTHWEST MISSISSIPPI MENTAL HEALTH FOUNDATION;

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY, AS TRUSTEE OF THE MISSISSIPPI GROUNDWATER PROTECTION TRUST FUND; AND

DOE DEFENDANTS 1-10

## DEFENDANTS

## ORDER OF RECUSAL

Pursuant to 28 U.S.C. § 455, which provides that any justice, judge, or magistrate of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned, and the undersigned, having carefully reviewed this matter and being advised by the parties of the nature of this case, finds that there are certain non-waiveable grounds under 28 U.S.C. § 455(b) which would require that I be disqualified from further participation in this case. I therefore recuse myself from this case.

The Clerk of the Court is hereby directed to reassign this case to another Judge in accordance with the Court's practice and procedure.

SO ORDERED this the <u>17th</u> day of November, 2009.

s/David Bramlette
UNITED STATES DISTRICT JUDGE