1	AARON D. FORD		
2	Attorney General AUSTIN T. BARNUM (Bar No. 15174) Deputy Attorney General State of Nevada Office of the Attorney General 555 East Washington Avenue		
3			
4			
5	Suite 3900 Las Vegas, Nevada 89101		
6	(702) 486-4070 (phone) (702) 486-3773 (fax)		
7	Email: abarnum@ag.nv.gov		
8	8 Attorneys for Defendants Scherrie Bean and Brian Williams		
9			
10			
11			
12	UNITED STATES DISTRICT COURT		
13	DISTRICT OF NEVADA		
14	SHANNON CARTER,	Case No. 2:18-cv-00452-APG-BNW	
15	Plaintiff,		
16	v.	STIPULATION AND ORDER FOR DISMISSAL WITH PREJUDICE	
17	JAMES DZURENDA, et al.,	DISMISSAL WITH PREJUDICE	
18	Defendants.		
19	IT IS HEREBY STIPULATED by and between Shannon Carter, in proper person		
20	and Defendants, Scherrie Bean and Brian Williams, by and through counsel, Aaron D		
21	Ford, Nevada Attorney General, and Austin T. Barnum, Deputy Attorney General, of the		
22	State of Nevada, Office of the Attorney General, that:		
23	1. The above-captioned action be dismissed, with prejudice, by order of this Court, with		
24	each party to bear his own costs.		
25	2. Defendants preserve the right to seek a strike pursuant to the Prison Litigation		
26	Reform Act, 28 U.S.C. § 1915(g).		
27	This stipulation for Dismissal with Prejudice and Defendants' preservation of the		
28	right to seek a strike pursuant to 18 U.S.C. §1915(g) is according to the terms agreed upor		

Case 2:18-cv-00452-APG-BNW Document 52 Filed 05/07/20 Page 2 of 5

1	at negotiations on May 6, 2020, at approximately 10:00 a.m. This negotiation		
2	memorialized in the Declaration of Counsel, Deputy Attorney General Austin T. Barnum		
3	attached as "Exhibit A."		
4	DATED this 7th day of May, 2020. DATED this 7th day of May, 2020		
5	AADOMD TODD		
6	AARON D. FORD Attorney General		
7	M CA DU RI		
8 9	SHANNON CARTER, #70773 By: AUSTIN T. BARNUM, Bar No. 15174		
10	Plaintiff, Pro Se Deputy Attorney General Attorneys for Defendants		
11			
12	IT IS SO ORDERED.		
13			
14	UNITED STATES DISTRICT JUDGE		
15			
16	DATED:		
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			

EXHIBIT A

Declaration of Counsel

EXHIBIT A

1	AARON D. FORD		
2	Attorney General AUSTIN T. BARNUM (Bar No. 15174) Deputy Attorney General		
3	State of Nevada Office of the Attorney General		
4	555 East Washington Avenue Suite 3900		
5	Las Vegas, Nevada 89101 (702) 486-4070 (phone)		
6	(702) 486-3773 (fax) Email: abarnum@ag.nv.gov		
7	Attorneys for Defendants		
8	Scherrie Bean and Brian Williams		
9			
10			
11			
12	UNITED STATES DISTRICT COURT		
13	DISTRICT OF NEVADA		
14	SHANNON CARTER,	Case No. 2:18-cv-00452-APG-BNW	
15	Plaintiff,		
16	v.	DECLARATION OF COUNSEL	
17	JAMES DZURENDA, et al.,		
18	Defendants.		
19	I, Austin T. Barnum, Esq., declare in support of this Stipulation and Order to		
20	Dismiss with Prejudice, in the matter styled Shannon Carter v. James Dzurenda, et. al.		
21	Case No. 2:180cv-00452-APG-BNW in the Federal District of Nevada:		
22	1. I am an attorney duly licensed to practice before all Courts in the State of		
23	Nevada, and am a Deputy Attorney General in the employment of the Office of the Attorney		
24	General.		
25	2. I am responsible Counsel for the Defendants in the instant matter.		
26	3. On May 6, 2020, I called Plaintiff, Shannon Carter (Carter), consistent with a		
27	scheduled meeting with Warm Springs Corre	ctional Center.	
28	///		

Case 2:18-cv-00452-APG-BNW Document 52 Filed 05/07/20 Page 5 of 5

- 4. Carter and I discussed his filing, ECF No. 50, titled Motion to Voluntary Dismiss, wherein Carter moved this Court to voluntarily dismiss the instant matter.
- 5. We discussed the option of filing a stipulated order with the terms that the dismissal be with prejudice. I explained that the term "with prejudice" means he will not be able to file this case again in the future.
- 6. I explained, further, that we were preserving the right to file a strike. He asked if this stipulation and order was a request for a strike. I advised him that it was not. I advised him that we were simply preserving the right for the future.
 - 7. Carter said that he understood and that he accepted the terms as stated.
- 8. I informed Carter that I would draft the Stipulation and Order and have it sent to him for review and signing.

I declare under penalty of perjury of the laws of the State of Nevada that the foregoing is true and correct.

Executed this 6th day of May, 2020, in Las Vegas, Nevada.

/s/ Austin T. Barnum AUSTIN T. BARNUM

Page 2 of 2