

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JAMES EDWARD PAYNE,

Plaintiff,

-v-

6:08-CV-143

OFFICER BRANDON JONES, OFFICER
JOHN ABEL, C. ALLEN PYLMAN, CITY
OF UTICA AND CITY OF UTICA POLICE
DEPARTMENT,

Defendants.

DAVID N. HURD
United States District Judge

ORDER

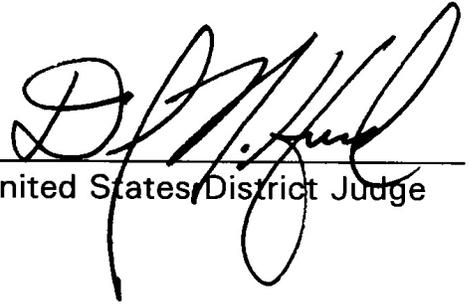
Pursuant to the oral decision of the Court, entered into the record after hearing oral argument on November 3, 2009, in Utica, New York, it is hereby

ORDERED that

1. Defendant Brandon Jones' motion, joined by the defendant City of Utica, for judgment as a matter of law or in the alternative for a new trial is DENIED;
2. Plaintiff may file an application for attorneys fees on or before November 10, 2009;
3. Defendants may file a response on or before November 18, 2009, and no reply will be permitted;
4. Plaintiff's application will be on submit; and

5. Thereafter, the Clerk will be directed to enter judgment.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to be "D. J. [unclear]", is written over a horizontal line. Below the line, the text "United States District Judge" is printed in a standard serif font.

Dated: November 3, 2009
Utica, New York.