

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

J. DUANE GILLIAM, Guardian of the Estate of)
Leon Brown, RAYMOND C. TARLTON,)
Guardian Ad Litem for Henry Lee McCollum,)
KIMBERLY PINCHBECK, as Limited Guardian)
and Conservator of the Estate of Henry Lee)
McCollum,)

Plaintiffs,)

v.)

ROBESON COUNTY, TOWN OF RED)
SPRINGS, KENNETH SEALEY, both)
Individually and in his Official Capacity as the)
Sheriff of Robeson County, LARRY FLOYD,)
LEROY ALLEN, PAUL CANADY,)
Administrator C.T.A. of the Estate of Luther)
Haggins, ROBERT PRICE, Administrator)
C.T.A. of the Estate of Joel Garth Locklear, Sr.,)
CHARLOTTE NOEL FOX, Administrator of the)
Estate of Kenneth Snead,)

Defendants.)

**AMENDED
JUDGMENT**

5:15-CV-451-BO

DECISION BY THE COURT.

IT IS ORDERED, ADJUDGED AND DECREED, pursuant to the Court's order entered May 27, 2016, that plaintiffs' claims against defendant Robeson County are dismissed with prejudice.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, pursuant to the Court's order entered June 20, 2018, that defendants Town of Red Springs, Larry Floyd, and Paul Canady, Administrator C.T.A. of the Estate of Luther Haggins, are dismissed from this action with prejudice.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, pursuant to the Court's order entered May 14, 2021, plaintiffs' claims against defendants Kenneth Sealey and Robert E. Price, administrator C.T.A. of the estate of Joel Garth Locklear, are dismissed with prejudice.

JURY VERDICT. The remaining claims in this action came before the Court for a trial by jury. The issues have been tried and the jury rendered its verdict on May 14, 2021, and the Court considered the issue of qualified immunity.

IT IS ORDERED, ADJUDGED AND DECREED that Plaintiffs have proven by the preponderance of the evidence that Leroy Allen violated Henry McCollum's constitutional rights. Plaintiffs have proven that Kenneth Snead violated Henry McCollum's constitutional rights.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiffs have not proven that Leroy Allen violated Leon Brown's constitutional rights. Plaintiffs have proven that Kenneth Snead violated Leon Brown's constitutional rights.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant Leroy Allen is entitled to qualified immunity as to the claims by Leon Brown and is not entitled to qualified immunity as to the claims by Henry McCollum.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant Kenneth Snead is not entitled to qualified immunity.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff Henry McCollum is entitled to recover \$31 million in compensatory damages.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff Leon Brown is entitled to recover \$31 million in compensatory damages.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff Henry McCollum is entitled to recover \$3 million in punitive damages from Defendant Leroy Allen.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff Henry McCollum is entitled to recover \$5 million in punitive damages from Defendant Kenneth Snead.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff Leon Brown is entitled to recover \$0 million in punitive damages from Defendant Leroy Allen.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff Leon Brown is entitled to recover \$5 million in punitive damages from Defendant Kenneth Snead.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiffs Henry McCollum and Leon Brown are entitled to and shall recover post-judgment interest on the entire amount awarded under this judgment at the rate established by 28 U.S.C. § 1961, accruing as of the date of entry of the judgment up to and until satisfied in full.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiffs' motion pursuant to Rule 59(e) to amend the judgment to include an award of prejudgment interest [DE 435] is GRANTED. Prejudgment interest is hereby awarded on all compensatory damages from 2 September 2014 through the date of entry of judgment at the rate of 8% per annum. The total award shall bear post-judgment interest at the legal rate.

This judgment filed and entered with approval of the Court on October 22, 2021, and served via CM/ECF on:

Catherine Stetson
E. Desmond Hogan
Elizabeth Lockwood
Elliot Sol Abrams
James Clayton
W. David Maxwell
Raymond Tarlton
Bradley Wood
James Morgan, Jr.
Dan Hartzog
Garris Yarborough
· Dan Hartzog, Jr.
John Butler, III
Katherine Barber-Jones
Timothy Smith, Jr.
Sonny Haynes
Scott MacLatchie
Adam Peoples

DATE:
October 22, 2021

PETER A. MOORE, JR., CLERK
(By) /s/ Nicole Sellers
Deputy Clerk