

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DAVID EASLEY,

Plaintiff,

vs.

GARY HAYWOOD, *et al.*,

Defendants.

Case No. 1:08-cv-601

Judge Timothy S. Black

**ORDER DENYING PLAINTIFF'S MOTION TO
PROCEED TO TRIAL (Doc. 212)**

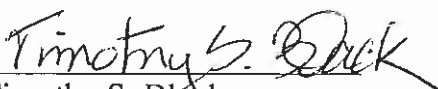
This civil action is before the Court on Plaintiff's motion to proceed to trial. (Doc. 212).

On February 11, 2013, Defendants filed a notice of interlocutory appeal. (Doc. 207). The appeal was presented as interlocutory because the District Court's Order (Doc. 202), denied Defendants Haywood and Brannigan qualified immunity. (*Id.*) Since this doctrine is designed to shield public officials from unwarranted disruptions caused by discovery and trial, a party who appeals an adverse qualified immunity ruling is entitled to have the underlying action stayed pending a resolution of the appellate review. *Kennedy v. City of Cleveland*, 797 F.2d 297, 299-300 (6th Cir. 1986) (recognizing that "a claim of immunity raises an interest in an early, and inexpensive, termination of the litigation.").

In light of this settled precedent, the Court **DENIES** Plaintiff's motion to proceed to trial (Doc. 212), and deems it appropriate to **STAY** the trial in this matter pending a resolution of the qualified immunity issue by the Sixth Circuit.

IT IS SO ORDERED.

Date: 11/10/13



Timothy S. Black
United States District Judge