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: 11/18/13

Timothy S. Black
Timothy S. Black
United States District Judge