

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED
AUG 23 2011
Joseph Haas
CLERK

HARVEY CASS,	*	CIV 10-4159
	*	
Plaintiff,	*	
	*	ORDER
vs.	*	
	*	
TIMOTHY REISCH, Director, South	*	
Dakota Department of Corrections;	*	
WILLIAM "Bill" DOOLEY, Warden,	*	
Mike Durfee State Prison,	*	
Springfield, South Dakota; and	*	
DOUG WEBER, Warden,	*	
South Dakota State Penitentiary;	*	
all in their official and individual capacities,	*	
	*	
Defendants.	*	

The Court is in receipt of Suggestion of Death Under Federal Rule of Civil Procedure 25, Doc. 24, in which the Court is advised that Plaintiff Harvey Cass died on July 3, 2011. Accordingly,

IT IS ORDERED That Plaintiff's Complaint will be dismissed if a Motion for Substitution is not made within ninety (90) days after the Suggestion of Death was filed

Dated this 23rd day of August, 2011.

BY THE COURT:

Lawrence L. Piersol
Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: *Jackie Weisacker*
DEPUTY