

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

VINCENT CENTAUR,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	
)	No. 3:15-cv-00449
JIMMY JONES and TIM BURCHETT in)	REEVES/GUYTON
their official capacities,)	
)	
<i>Defendants.</i>)	

MEMORANDUM OPINION AND ORDER

Before the Court is Defendants’ motion to substitute parties. They ask the Court to dismiss them and add Knox County, Tennessee, as a defendant. Defendants note that they are being sued only in their official capacities and that Knox County is the true party in interest. Thus, it would be redundant to sue both the County and themselves.

The Court agrees. First, Knox County must be added as a defendant. If the Court “cannot accord complete relief among existing parties” without a would-be defendant, then the Court must add that defendant. FED. R. CIV. P. 19(a)(1)(A); *see also id.* 19(a)(2). Such is the case here. When a government official is sued in his official capacity, the government pays the damages. *Kentucky v. Graham*, 473 U.S. 159, 166 (1985). But if the government is not a defendant, then the Court cannot order the government to pay up. In other words, if Knox County is not joined as a defendant, then Centaur could not collect against Jones and Burchett. Thus, Knox County must be added.

Second, Jones and Burchett will be dismissed as defendants. Suits against government officials in their official capacities are simply suits against the government itself. *Graham*, 473 U.S. at 165.

It is redundant, then, to sue both government officials as government officials and the government that employs them. When this redundancy occurs, this Court has dismissed the officials. *See, e.g., Camp v. Knox County*, No. 3:14-cv-257-PLR-HBG, 2015 WL 461642, at *3 (E.D. Tenn. Feb. 3, 2015) (Reeves, J.); *see also Newby v. Sharp*, No. 3:11-cv-534, 2012 WL 1230764, at *3 (E.D. Tenn. Apr. 12, 2012) (Varlan, C.J.) (collecting cases). Sheriff Jones and Mayor Burchett must be dismissed as parties.

For these reasons, Defendants' motion is **GRANTED**. Knox County, Tennessee, is **ADDED** as a defendant, and Jones and Burchett are **DISMISSED**.

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE