# UNITED STATES DISTRICT COURT
# FOR THE WESTERN DISTRICT OF TENNESSEE
# WESTERN DIVISION

THEAQUIATA ROBINSON,

       Plaintiff,

v.                                                    Case No. 10-02785

TIPTON COUNTY
BOARD OF EDUCATION,

       Defendant.

and

TIPTON COUNTY
BOARD OF EDUCATION,

       Plaintiff,

v.                                                    Case No. 10-02817

THEAQUIATA ROBINSON, next friend
of T.R., and BERNARD TYRUS
STURGIS,

       Defendants.
                                 /

## ORDER SETTING TELEPHONE CONFERENCE

On June 18, 2012, the court held an on-the-record telephone conference in these

consolidated cases with pro se party Theaquiata Robinson, counsel for Tipton County

Board of Education ("Tipton"), and Bernard Tyrus Sturgis, who is Robinson's former

attorney and a named Defendant in Case Number 10-02817.  The conference was

continued from the court's prior telephone conference with Robinson and counsel for

Tipton on May 11, 2012, to afford Robinson the opportunity to obtain counsel.

During the conference, Robinson informed the court that she is still working on securing representation in these matters. Moreover, Robinson seems unfamiliar with, and unsure about the origins of, papers already filed in these actions that bear her signature—namely, her response to Tipton's motion for judgment on the administrative record in Case Number 10-02785, a joint motion to dismiss by her and Sturgis in Case Number 10-02817, and her response to Tipton's motion for judgment on the pleadings in Case Number 10-02817.[1]

Additionally, in Case Number 10-02817, Sturgis has yet to indicate on the court's docket whether he is proceeding pro se or through counsel. If he does wish to represent himself, as he did during the telephone conference, he must add his contact information to the court's docket. It is also unclear whether Sturgis still wishes to pursue the joint motion to dismiss[2] or join Robinson's response to Tipton's motion for judgment on pleadings.

In light of the apparent confusion regarding these matters, the court will again continue the telephone conference to give Robinson and Sturgis more time to review the record and decide how they wish to proceed in these matters. However, the court notes that it will not grant another, similar continuance. Accordingly,

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[1]The court's suspicion, albeit unconfirmed, is that Sturgis, who is not admitted to practice in the Western District of Tennessee, improperly filed these documents on Robinson's behalf and without her knowledge.

[2]The motion to dismiss, which was filed on January 14, 2011, and to which Tipton responded on January 24, 2011, appears never to have been decided by the court; however, it was terminated—perhaps mistakenly—on the court's docket on May 2, 2011.

IT IS ORDERED that counsel for the parties shall participate in a telephone conference on **July 2, 2012, at 1:00 p.m. EDT**.  The court will place the telephone call. If either Robinson or Sturgis wishes to be represented by counsel, their attorneys must file an appearance on the record no later than **June 29, 2012**.  If Sturgis intends to proceed pro se, he must so indicate on the court's docket and enter his contact information by that same date.

During the conference, Robinson (or her attorney) should be prepared to inform the court whether she wishes to adopt, modify, or abandon: (1) in Case Number 10-02785, "Plaintiff's Response to Defendant's Motion for Judgment on the Administrative Record" [Dkt. # 48]; (2) in Case Number 10-02817, the "Joint Motion to Dismiss" [Dkt. # 4]; and (3) in Case Number 10-02817, the "Response to Motion for Judgment on the Pleadings" [Dkt. # 15].  Similarly, Sturgis (or his attorney) should be prepared to inform the court whether, in Case Number 10-02817, he intends to pursue the "Joint Motion to Dismiss" [Dkt. # 4] and whether he wishes to adopt the "Response to Motion for Judgment on the Pleadings" [Dkt. # 15].

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s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

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Dated:  June 21, 2012

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, June 21, 2012, by electronic and/or ordinary mail.

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s/Lisa G. Wagner
Case Manager and Deputy Clerk
(313) 234-5522

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