

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION

MICHAEL K. POWERS, ET AL.

§

v.

§

C.A. NO. V-11-051

§

RICK THALER, ET AL.

§

§

OPINION GRANTING PLAINTIFFS' MOTION FOR A JURY TRIAL

Plaintiffs are inmates in the Texas Department of Criminal Justice, Correctional Institutions Division, and are currently incarcerated at the Stevenson Unit in Cuero, Texas. Proceeding pro se, they filed a civil rights action pursuant to 42 U.S.C. § 1983. (D.E. 1). Pending is their motion for a jury trial. (D.E. 4).

The Federal Rules of Civil Procedure note that “[t]he right of trial by jury as declared by the Seventh Amendment to the Constitution—or as provided by a federal statute—is preserved to the parties inviolate.” Fed. R. Civ. P. 38(a); see also U.S. Const. amend. VII. Plaintiffs have adequately made a jury demand in this action. See Fed. R. Civ. P. 38(b).

For the foregoing reasons, plaintiffs’ motion for a jury trial, (D.E. 4), is GRANTED.

ORDERED this 3rd day of November 2011.


BRIAN L. OWSLEY
UNITED STATES MAGISTRATE JUDGE