

11
MAR 21 2005 8:57

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

NATHANIEL ROBERTS, et al.

Plaintiffs

vs.

COUNTY OF MAHONING, OHIO, et al.

Defendants

CASE NO.: 4:03 CV 2329

JUDGE DOWD

**MOTION FOR AN
INJUNCTION**

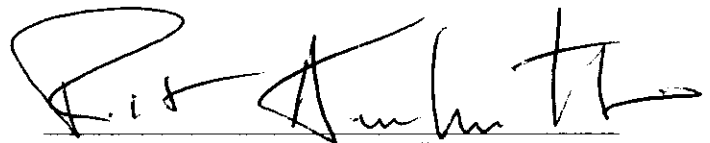
Now comes Plaintiff's counsel in the above captioned action and states the following.

1. On March 10, 2005, this Court issued a Memorandum Opinion in the above captioned action.
2. The opinion included Findings of Fact and Conclusion of Law.
3. The Findings of Fact indicated that the Mahoning County Jail was being operated at staffing levels that were found to be unconstitutional. See attached affidavit.
4. Plaintiff's counsel has learned that the Defendant Sheriff Wellington on March 13, 2005 issued layoff notices to fifty (50) Deputies. Said layoff notices are effective March 25, 2005. See attached affidavit.
5. In addition, Plaintiff's counsel has also learned that on March 25, 2005 Defendant Sheriff Wellington intends to issue ninety (90) additional layoff notices to Deputies who work in Mahoning County. Said layoffs are to be effective April 10, 2005. See attached affidavit.

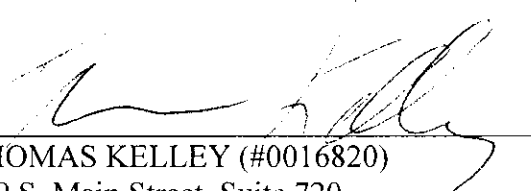
Plaintiff's counsel represents that if these layoffs are allowed to occur the safety and security of the Plaintiff's class, and the remaining Deputies would be jeopardized.

Plaintiff's counsel asks from this Court to issue an Injunction preventing said layoffs. The Injunction should be effective until this Court can determine that the Defendants in the above captioned action will take no further actions to jeopardize the safety of the inmate class.

Respectfully Submitted,



ROBERT ARMBRUSTER (#0011623)
159 S. Main Street, Suite 720
Akron, Ohio 44308
Phone (330) 434-2113



THOMAS KELLEY (#0016820)
159 S. Main Street, Suite 720
Akron, Ohio 44308
Phone (330) 434-2113

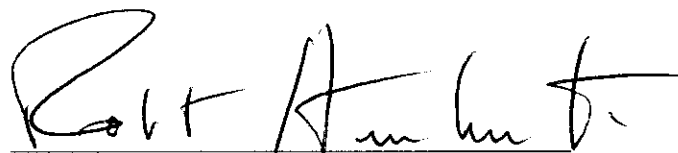
ATTORNEYS FOR PLAINTIFFS

PROOF OF SERVICE

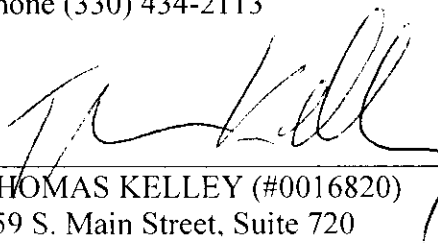
I hereby certify that I have this 21st day of March, 2005, forwarded a copy of the foregoing by way of regular U.S. Mail to:

MARK LANDES
250 East Broad Street
Columbus, Ohio 43215

DANIEL T. DOWNEY
250 East Broad Street
Columbus, Ohio 43215



ROBERT ARMBRUSTER (#0011623)
159 S. Main Street, Suite 720
Akron, Ohio 44308
Phone (330) 434-2113



THOMAS KELLEY (#0016820)
159 S. Main Street, Suite 720
Akron, Ohio 44308
Phone (330) 434-2113

ATTORNEYS FOR PLAINTIFFS