

DOWD, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Nathaniel Roberts, et al.,)	
)	CASE NO. 4:03 CV 2329
Plaintiff(s),)	
)	
v.)	<u>ORDER</u>
)	
County of Mahoning, Ohio, et al.,)	
)	
Defendant(s).)	
)	

On May 11, 2005, the Special Master filed his Third Report (Doc. No. 122), wherein the recommendation was made that the Court maintain the status quo by continuing in effect the Order and Preliminary Injunction of April 7, 2005. By order dated May 13, 2005, the Court indicated that, absent any objections by May 20, 2005, the recommendation would be adopted.

There have been no objections. Therefore, the recommendation of the Special Master in his Third Report is adopted and the Order and Preliminary Injunction of April 7, 2005 (Doc. No. 117) will continue in effect, in particular, the following from that Order:

Having carefully considered the dictates of Section 3626(a)(1)(A) and the Court's own Findings of Fact issued on March 10, 2005 (Doc. No. 93) along with the Findings in the First Report of the Special Master (Doc. No. 114), and taking into consideration that no party has substantively objected to any of the Findings or Recommendations in the First Report of the Special Master, and further concluding that the safety of the remaining inmates in the Justice Center and the safety of the local community in the City of Youngstown, Mahoning County, Ohio absolutely requires this injunction, the Court orders as follows:

(4:03 CV 2329)

1. That defendants maintain the current security staffing in the Justice Center without additional layoffs; specifically, the Court enjoins the layoffs presently scheduled for April 10, 2005 and April 17, 2005, until further order of the Court;
2. That the Sheriff of Mahoning County provide the Special Master and counsel of record with daily population counts in the north and south towers of the Justice Center until such time as the south tower is closed and the population in the north tower is no greater than 296;
3. That the Sheriff of Mahoning County inform the Special Master in writing, with copies to counsel of record, whenever the population in the north tower exceeds 296 and/or when inmates begin again to be assigned to the south tower or the Minimum Security Jail;
4. That the Sheriff of Mahoning County report on a weekly basis in writing to the Special Master, with copies to counsel of record, as to the number of early releases, by category, accomplished pursuant to the March 30, 2005 Judgment Entry of the Court of Common Pleas of Mahoning County (see Doc. No. 114, Exhibit A); and
5. That the Special Master file Reports to the Court as he deems necessary throughout this process.

IT IS SO ORDERED.

May 26, 2005
Date

s/ David D. Dowd, Jr.
David D. Dowd, Jr.
U.S. District Judge