

JUL 27 1998
ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

U. S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS
FILED
JUL 24 1998
NANCY DOHERTY, CLERK
By _____ Deputy

OSCAR D. WILLIAMS,
et al.

Plaintiffs,

VS.

KAUFMAN COUNTY and
KAUFMAN COUNTY SHERIFF
ROBERT HARRIS

Defendants.

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CIVIL ACTION NO. 3-97-CV0875-R

ENTERED ON DOCKET
JUL 27 1998 PURSUANT
TO F. R. C. P. RULES
88 AND 79a.

ORDER

Came on to be heard Defendants' Motion to Dismiss Sylvester Lewis and for Sanctions. Having considered the pleadings and arguments of counsel, the Court issues the following Orders:

- 1. The Motion to Dismiss is DENIED at this time.
- 2. The Motion for Sanctions is GRANTED as follows:
 - A) Within 30 days of the entry of this Order, Sylvester Lewis is ordered to remit

payment in the following amounts:

- 1) \$625.00 to Defendants Kaufman County and Kaufman County Sheriff Robert Harris for failure to appear at noticed depositions;
- 2) \$1,500.00 to the Clerk of this Court for failure to appear at Plaintiffs' deposition scheduled by Court Order for May 7, 1998 at 2:00 p.m.; and
- 3) \$3,000.00 to the Clerk of the Court for failure to appear at the hearing scheduled by Court Order for July 24, 1998 at 10:00 a.m.

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If Plaintiff Sylvester Lewis does not remit payment as described above within 30 days of the entry of this Order, all Plaintiff's claims against Defendants may be dismissed with prejudice.

B) Plaintiff Sylvester Lewis will not be permitted to testify at trial or offer evidence unique to him. This portion of the Order does not affect other Plaintiffs from offering testimony that may relate to common claims which may touch of Plaintiff Sylvester Lewis' claims.

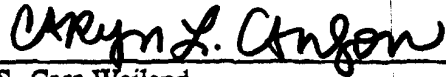
3. All relief not expressly granted is hereby DENIED.

SO ORDERED.

Dated July 24, 1998.


JEFF KAPLAN
UNITED STATES MAGISTRATE JUDGE

APPROVED AS TO FORM:
CAPSHAW, WEILAND, GOSS & BOWERS, L.L.P.



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Caryn L. Carson
Texas State Bar No. 00793472

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