

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

The United States of America)
 Plaintiff,)
) Civil Action No.
v.) 3:03-cv-1354-HTW-FKB
)
The State of Mississippi, et al.)
 Defendants.)
_____)

PARTIES JOINT MOTION TO ENTER COMPLIANCE ACTION PLAN AS A MODIFICATION TO THE
AGREEMENT

On June 21, 2010, the Court ordered that the May 31, 2005, Consent Decree (“Agreement”) (Dkt. # 119) be amended to dismiss certain provisions and modify others. (Dkt. # 158). Section II of the Court’s order modifies Paragraph 38 to require the State to develop a comprehensive action plan for the substantive remedial areas of the Agreement: protection from harm, suicide prevention, mental health and rehabilitative services, and Paragraphs 39-40 regarding quality assurance and corrective action plans. The State was directed to revise or modify the existing Action Plan for protection from harm and suicide prevention and integrate the plans into the comprehensive action plan in consultation with the monitor. The State would then submit that comprehensive action plan to the United States and monitor and revise it based on the comments from the United States and Monitor. The Parties were directed to jointly file, no later than 90 days from the Court’s June 21, 2010 Order, a request to the Court to enter the comprehensive action plan as a modification to the Agreement.

With the assistance of Dr. Dedel (the Monitor), the Parties have collaborated to create the compliance action plan. The United States and the Monitor have provided comments to the State and the State has revised the plan appropriately. Accordingly, the Parties now jointly submit to the Court, within the 90 day deadline time period, their request to the Court to enter the attached Compliance Action Plan (Attachment 1) as a modification to the Agreement.

The Parties also wish to inform the Court that Dr. Dedel is scheduled to tour the Oakley Training School in Raymond, Mississippi on November 15-19, 2010 and December 13-17, 2010.

Respectfully submitted this 16th day of September, 2010.

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Certificate of Service

I HEREBY CERTIFY that this 16th day of September, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will simultaneously service notice of such filing to counsel of record to their registered electronic mail addresses.

s/Silvia J. Dominguez
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