

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

**ALAN DALE WALKER, EARL WESLEY
BERRY, PAUL EVERETT WOODWARD,
GERALD JAMES HOLLAND,
and DALE LEO BISHOP**

PLAINTIFFS

VS.

CIVIL ACTION NO.: 4:07CV176-P-B

**CHRISTOPHER EPPS, Commissioner
of the Mississippi Department of Corrections,
LAWRENCE KELLY, Superintendent of the
Mississippi State Penitentiary at Parchman,
and JOHN DOES 1-50**

DEFENDANTS

ORDER

Pursuant to an opinion issued this day, it is hereby **ORDERED** that Earl Wesley Berry's motion for a temporary restraining order and/or a preliminary injunction is **DENIED** and the Defendants' motion to dismiss the complaint as to Earl Wesley Berry is **GRANTED**.

THIS the 24th day of October, 2007.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE

