

## C. Bryant Rogers

---

**From:** cmecfhelpdesk@mssd.uscourts.gov  
**Sent:** Friday, May 15, 2020 1:54 PM  
**To:** Courtmail@mssd.uscourts.gov  
**Subject:** Activity in Case 3:18-cv-00223-CWR-FKB Chipmon v. The United States of America et al  
Order on Motion to Dismiss

This is an automatic e-mail message generated by the CM/ECF system. Please **DO NOT RESPOND** to this e-mail because the mail box is unattended.

**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\*** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

### U.S. District Court

### Southern District of Mississippi

#### Notice of Electronic Filing

The following transaction was entered on 5/15/2020 at 2:54 PM CDT and filed on 5/15/2020

**Case Name:** Chipmon v. The United States of America et al

**Case Number:** 3:18-cv-00223-CWR-FKB

**Filer:**

**Document Number:** 50

#### Docket Text:

**ORDER granting [42] Motion to Dismiss and hereby dismissed. The Tribe is no longer a party to this action. Signed by District Judge Carlton W. Reeves on 5/15/20 (TRS)**

#### 3:18-cv-00223-CWR-FKB Notice has been electronically mailed to:

Carl Bryant Rogers   cbrogers@nmlawgroup.com, jtixier@nmlawgroup.com,  
kbuvinghausen@nmlawgroup.com

Jennifer Case-Federal Gov   jennifer.l.case@usdoj.gov, CaseView.ECF@usdoj.gov, renee.yancey@usdoj.gov,  
rj.mcinnis@usdoj.gov

Robert Gregg Mayer-Federal Gov , Jr   gregg.mayer@usdoj.gov, laquinta.hall@usdoj.gov,  
renee.yancey@usdoj.gov

Stephen R. Graben-Federal Gov   stephen.graben@usdoj.gov, CaseView.ECF@usdoj.gov,  
tionie.beaver@usdoj.gov

William E. Ready , Jr   Bill@ReadyLawFirm.com, amy@readylawfirm.com, curtis@readylawfirm.com,

tricia@readylawfirm.com

**3:18-cv-00223-CWR-FKB Notice has been delivered by other means to:**

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1081288797 [Date=5/15/2020] [FileNumber=5604307-0  
] [1382e82269db894f2819f2c41759de5ccc038f41392ba6db033d4ae14e26bb38aa5  
0a09ddfa8edb61b13d1479b8536dade81e6207bde574344a7c33251b70c8b]]

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



ARTHUR JOHNSTON, CLERK

By: Julia Summers Deputy Clerk

**DAVID CHIPMON,**

**PLAINTIFF,**

**VS.**

**CIVIL ACTION NO.: 3:18-CV-223-CWR-FKB**

**THE UNITED STATES OF AMERICA,  
MISSISSIPPI BAND OF CHOCTAW  
INDIANS, AND ESTATE OF WAYNE  
WILLIAMS,**

**DEFENDANTS.**

**UNOPPOSED ORDER GRANTING MOTION TO DISMISS**

Came on before the Court the Motion of the Defendant, Mississippi Band of Choctaw Indians (Doc. 42), seeking dismissal of the claims against it in this case under Rule 12(b)(1), F.R.Civ.P., based on the Tribe's unwaived sovereign immunity from unconsented civil suits, which Motion is unopposed by all other existing parties in this suit.

WHEREFORE, premises considered, the Court finds that the Motion is well taken and is hereby granted. Plaintiff's tort claim against the Mississippi Band of Choctaw Indians (the "Tribe") is hereby dismissed and the Tribe is no longer a party to this action.

SO ORDERED AND ADJUDGED this the 15<sup>th</sup> day, May 2020.

s/ Carlton W. Reeves

UNITED STATES DISTRICT JUDGE

s/ C. Bryant Rogers

C. Bryant Rogers

Attorney for Defendants Mississippi Band of  
Choctaw Indians, Wayne Williams, Deceased;  
and the Estate of Wayne Williams

s/ Stephen R. Graben

Stephen R. Graben

Gregg Mayer

Attorneys for Defendant United States

s/ William E. Ready, Jr.

William E. Ready, Jr.

Attorney for Plaintiff