

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

DOYLE LEE HAMM,]	
]	
Plaintiff,]	
]	
v.]	
]	
JEFFERSON S DUNN, COMMISSIONER,]	
ALABAMA DEPARTMENT OF]	
CORRECTIONS;]	2:17-cv-02083-KOB
CYNTHIA STEWART, WARDEN,]	
HOLMAN CORRECTIONAL FACILITY;]	
LEON BOLLING, III, WARDEN,]	
DONALDSON CORRECTIONAL FACILITY;]	
OTHER UNKNOWN EMPLOYEES AND]	
AGENTS, ALABAMA DEPARTMENT OF]	
CORRECTIONS]	
]	
Defendants.]	

**ORDER GRANTING IN PART AND DENYING IN PART
PLAINTIFF’S EMERGENCY MOTION FOR A HEARING TODAY**

This matter is before the court on Plaintiff Doyle Lee Hamm’s “Emergency Motion for a Hearing Today.” (Doc. 76).


The court GRANTS IN PART AND DENIES IN PART Mr. Hamm’s motion. **The court will hold a hearing on this matter on Monday, February 26, 2018, at 10:00 AM CST, in CR 8, Hugo L Black US Courthouse, Birmingham, Alabama.**

The court also GRANTS Mr. Hamm’s request for a full medical examination by Dr. Mark Heath, to be completed Saturday, February 24, 2018. **Defendants must ensure that Dr. Heath is allowed to bring in all necessary medical equipment, including a camera and an ultrasound.** The court ORDERS Dr. Heath to submit a report of the results of the examination by no later than 9:00 AM CST on Monday, February 26, 2018.

The court will hold a telephone conference **today at 12:00 PM CST** to discuss the location of the examination; the logistics of getting Mr. Hamm to both the medical exam tomorrow and the hearing in Birmingham on Monday; who will be present at the hearing; the need for any affidavits to be filed before the hearing; and the need for any necessary subpoenas. The court will set the time for the telephone conference by separate order. The court will send the parties the call-in information separately.

The court **ORDERS** Defendants to preserve all evidence that could be relevant to the hearing, including the clothing Mr. Hamm was wearing at the aborted execution.

DONE and **ORDERED** this 23rd day of February, 2018.



KARON OWEN BOWDRE
CHIEF UNITED STATES DISTRICT JUDGE