

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

FRANKIE JOHNSON,

Plaintiff,

v.

JEFFERSON S. DUNN, *et al.*,

Defendants.

Case No.: 2:21-cv-1701-AMM

ORDER

This case is before the court on motions to excuse Bill Lunsford and Daniel Chism, counsel for Defendant Jefferson Dunn, and Robert D. Tambling and Steven Shawn Sibley, counsel for non-party the Alabama Department of Corrections, from the show cause hearing set for Wednesday, May 21, 2025 at 9:00 AM Central Daylight Time at the Hugo Black United States Courthouse in Birmingham, Alabama. Docs. 188–89.


Mr. Chism and Mr. Lunsford represent in their motion that “[n]either [of them] participated in any way in the drafting or filing of the Motion for Leave to Depose Incarcerated Persons,” which is the subject of the show cause hearing. Doc. 188 at 2. In addition, Mr. Lunsford represents that he “must be in Macon, Georgia to prepare for and attend a previously set evidentiary hearing before the U.S. District

Judge Marc Treadwell in the United States District Court for the Middle District of Georgia.” *Id.*

The hearing before Judge Treadwell is set for Thursday, May 22, 2025, at 9:00 AM Eastern Standard Time—twenty-three hours after the show cause hearing in this case. *See Ricardo Daughtry, et al. v. Shawn Emmons, et al.*, No. 5:15-cv-00041-MTT (M.D. Ga. filed Feb. 12, 2015). The May 21, 2025 show cause hearing will last no longer than an hour. Accordingly, Mr. Lunsford will have ample time to travel to Georgia in advance of his hearing the next day, and the motion to excuse as to Mr. Lunsford and Mr. Chism is **DENIED**.

For their part, Mr. Sibley and Mr. Tambling represent that they are respectively scheduled to be out of the country and at a medical appointment on the morning of May 21, 2025. Doc. 189 at 1. Moreover, their participation in this case was limited to a recently resolved motion to compel. *Id.* As such, their motion is **GRANTED**, and Mr. Sibley and Mr. Tambling are excused from the show cause hearing.

DONE and **ORDERED** this 16th day of May, 2025.


ANNA M. MANASCO
UNITED STATES DISTRICT JUDGE