

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

YANIRA YESENIA OLDAKER, <i>et al.</i>, Plaintiffs, v. THOMAS P. GILES, <i>et al.</i>, Defendants.	: : : : : : : : : :	 CASE NO: 7:20-cv-224 (WLS)
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ORDER

By Order entered December 14, 2023 (Doc.353) (“Order Extending”), the Court continued the stay of discovery in this case due to an ongoing criminal investigation concerning the same alleged violations as those alleged by Plaintiffs in this action. The Order required that in the event the pending motions to dismiss were not resolved, then on or before January 29, 2024, the Official Capacity Federal Defendants (“OCFDs”) were to file a Status Report including a statement of whether it is appropriate for the stay to remain in effect. (Doc. 353 at 2) The OCFDs timely filed a Status Report (Doc. 357) stating almost verbatim the information contained in their Status Report filed October 31, 2023 (Doc. 334), *i.e.*:

As of October 23, 2023, United States Attorneys and other federal civil rights investigators continue to investigate the allegations in this lawsuit, to determine whether any criminal conduct, including criminal civil rights violations, occurred. Counsel for Official Capacity Federal Defendants have been informed that the criminal investigation remains ongoing. Because of the nature of such investigations, Counsel have been unable to obtain an estimate of when the investigation will end or when discovery in this case will no longer interfere with the investigation.

(Doc. 357 at 1-2) The OCFDs request that the discovery stay remain in effect for an additional ninety (90) days through and including April 28, 2024, at which time, they will provide an additional status report to the Court. The Court’s December 14, 2023 Order provided that any responses to the OCFDs’ Status Report must be filed within seven (7) days of the date the Status Report was filed.

Plaintiffs’ Response to Status Report (Doc. 358) (“Response”) was timely filed. Therein, Plaintiffs do not object to an additional ninety-day stay of discovery to allow

resolution of the pending motions to dismiss. However, Plaintiffs object to the OCFDs' continuing to base a stay on the ongoing criminal investigation. Plaintiffs request the Court order the OCFDs to file, under seal, a statement providing more detail about the status of the investigation to support any further stay of discovery in this case for that reason. No other parties filed a response.

The Court advised the OCFDs in the December 14, 2024 Order that "the indefinite duration of the ongoing criminal investigations, where no indictment has been issued, is quickly becoming a factor weighing in favor of lifting the stay." (Doc. 353 at 2) That being said, the Court will grant one additional stay of ninety-one days or until Monday, April 29, 2024.

Accordingly, discovery of this case shall be, and hereby is, **STAYED** until **Monday, April 29, 2024**.

No further extensions will be granted except to prevent manifest injustice upon timely written motion for good cause shown upon grounds not reasonably foreseeable or avoidable by the moving Party or Parties. To be clear, the Court will not extend a stay based on general and non-specific support for review and analysis consistent with the Court's discretion under the Rules and relevant law.

SO ORDERED, this 12th day of February 2024.

/s/ W. Louis Sands

W. LOUIS SANDS, SR. JUDGE
UNITED STATES DISTRICT COURT