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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED

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BILLY JOE TYLER COURT
U. S. DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
Plaintiffs,
vs.
UNITED STATES OF AMERICA,
Plaintiff-Intervenor,
vs.
JAMES W. MURPHY, et al.,
Defendants.

[Signature]
U. S. DISTRICT COURT
E. DISTRICT OF MO.

Cause No. 74-40-C (4) *CEJ*

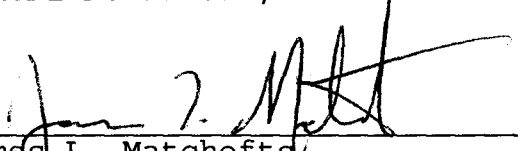
DEFENDANT CITY OF ST. LOUIS' MEMORANDUM
IN OPPOSITION TO PLAINTIFFS' MOTION TO RETURN PRISONERS
TO MISSOURI AND FOR CONTEMPT

Plaintiffs have moved for the return of all City of St. Louis prisoners from Illinois jail facilities, and for an order of contempt against the City for holding prisoners in Illinois for more than 21 days. For its response, the City states, first of all, that the Court did not at any time enter any order prescribing the length of time that prisoners could be held in Illinois facilities. The City's actions did not, therefore, violate any order entered in this case. Secondly, the City has stated its intention, in a pleading filed herein on April 20, 1995, to return all Illinois prisoners to St. Louis by May 4, 1995. Given this commitment by the City, the issues raised by plaintiffs are moot.

For the foregoing reasons, plaintiffs' Motion should be denied.

Respectfully submitted,

TYRONE A. TABORN, CITY COUNSELOR



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CERTIFICATE OF SERVICE

Copy of the foregoing mailed this 27 day of April, 1995 to: Frank Susman, Attorney for Plaintiffs, 7711 Carondelet, St. Louis, MO 63105; William Franz, Attorney for Defendant James Murphy, Sheriff of the City of St. Louis, 720 Olive St., St. Louis, MO 63101.

