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U. S. DISTRICT COURT  
DISTRICT OF NEVADA  
FILED

AUG 24 1979

CAROL C. FITZGERALD, CLERK

BY \_\_\_\_\_ DEPUTY

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

JOHN CAPEL, et al.,	)	
Plaintiffs,	)	
and	)	
UNITED STATES OF AMERICA,	)	Civil LV 77-118 RDF
Plaintiff-Intervenor,	)	<u>ORDER</u>
v.	)	
JOHN J. MCCARTHY, etc., et al.,	)	
Defendants.	)	

The Sheriff's plan, filed March 9, 1979, to implement the consent decree is approved, although the Court believes there is merit in some of the objections made to the plan. The implementation plan, like the consent decree itself, consists mostly of promises of future performance by the defendants which, when performed, will assure that the prisoners in the Clark County Jails are accorded their full constitutional rights.

Counsel for the Sheriff and counsel for all of the other defendants are directed to file with this Court by November 1<sup>st</sup> 1979 written reports reflecting the progress to date of the Sheriff and all of the other defendants in bringing jail conditions into compliance with the

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consent decree and, in addition, the defendants' estimation of when they expect to comply fully with the requirements of the consent decree. These reports should contain an update of the "Consent Decree Implementation Schedule-by Provision" presented by the Sheriff himself in open court during the hearing on the implementation plan on April 30, 1979.

Counsel for the plaintiffs' class and for the intervenor United States will have until January 2<sup>nd</sup> 1980 to respond in writing to the written response of the defendants.

A hearing will be held on the defendants' reports and the plaintiffs' and intervenor's response thereto on the January 14<sup>th</sup> 1980 at 9:30 am

DATED: August 24<sup>th</sup>, 1979.

Robert J. [Signature]