

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Nathaniel Roberts, et al.,	)	
	)	CASE NO. 4:03 CV 2329
Plaintiffs,	)	
	)	
v.	)	
	)	
County of Mahoning, Ohio, et al.,	)	
	)	<u>ORDER</u>
Defendants,	)	
	)	
v.	)	
	)	
City of Youngstown,	)	
	)	
Intervenor.	)	

On May 17, 2007, this three-judge panel (Panel) entered a Consent Judgment Entry (Consent Entry) with a stipulated population order and retained jurisdiction over the Consent Entry for three years. ECF 266. The Panel's jurisdiction, by the terms of the Consent Entry, expired on May 17, 2010.

One month before the scheduled expiration of the Panel's jurisdiction over the Consent Entry, plaintiffs filed a motion to hold defendant Mahoning County (County) in contempt of the Consent Entry and to extend the Consent Entry for one year. ECF 283. Initially, the County opposed the motion to extend the Consent Entry. ECF 285. However, on the eve of the expiration of this Panel's jurisdiction, the County withdrew its opposition and also moved the Panel for a one-year extension of the Consent Entry. ECF 290. Intervenor City of Youngstown (City) opposed both the plaintiffs' and the County's motion to extend the Consent Entry. ECF 284 and 289.

(4:03 CV 2329)

The Panel has reviewed the parties' briefs regarding the motions to extend the Consent Entry and concludes that there is no basis upon which the Panel may do so. Accordingly, both plaintiffs' motion and the County's motion to extend the Consent Entry are DENIED. This Panel's jurisdiction over the Consent Entry expired by its terms on May 17, 2010.

However, the Panel retains jurisdiction to rule on plaintiffs' motion for contempt against the County for violation of the Consent Entry during the time the Consent Entry was in effect. Similarly, the Panel acknowledges the motion of plaintiffs' counsel for attorney fees (ECF 290) during that time period and its jurisdiction to rule on that motion. The Panel will publish a separate order regarding plaintiffs' motions for contempt and attorney fees.

IT IS SO ORDERED.

May 18, 2010  
Date

s/ Alice M. Batchelder  
Judge Alice M. Batchelder  
Chief Circuit Judge

s/ David D. Dowd, Jr.  
Judge David D. Dowd, Jr.  
U.S. District Judge

s/ Dan Aaron Polster  
Judge Dan Aaron Polster  
U.S. District Judge