

**ENTERED**

February 02, 2021

Nathan Ochsner, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

DWIGHT RUSSELL, *et al.*,

Plaintiffs,

v.

HARRIS COUNTY, TEXAS, *et al.*,

Defendants.

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CIVIL ACTION NO. H-19-226

**MEMORANDUM**

The Felony Criminal District Court Judges who appealed this court’s Memorandum and Opinion denying their motion to dismiss, (Docket Entry No. 326), have asked this court to vacate that ruling, and the plaintiffs have moved to dismiss those Judges under Rule 41(a)(2), (Docket Entry No. 370). The court has vacated its prior ruling and will grant the plaintiffs’ motion to dismiss the Felony Criminal District Court Judges, with prejudice, when the Judges notify the court that their appeal has been dismissed.

SIGNED on February 2, 2021, at Houston, Texas.



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Lee H. Rosenthal  
Chief United States District Judge