

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

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FILED
MAR 5 1982
CLERK U.S. DISTRICT COURT
ALEXANDRIA, VIRGINIA

BOBBIE E. PIPER, et al.,)

Plaintiffs,)

v.)

RUSSELL K, BROWN, et al.,)

Defendants.)

Civil Action No. 81-0445-A

ORDER

This matter came before the court on the motion of plaintiffs for a stay of execution on the court's judgment order of October 29, 1981, as modified by the court's order of February 11, 1982.

Fed. R. Civ. P. 62 is very explicit regarding the times and conditions under which a federal district court may grant a stay of execution. The court finds that the rule does not provide for a stay at this stage of the case. The court lacks the power to stay the execution of judgment in a time period not covered by the rule. See Geddes v. United Financial Group, 559 F.2d 557 (9th Cir. 1977); United States v. One 1962 Ford Galaxie Sedan, 41 F.R.D. 156 (S.D.N.Y. 1966); Van Huss v. Landsberg, 262 F.Supp. 867 (W.D.Mo. 1967). For this reason, the court DENIES plaintiffs' motion.

Let the Clerk send a copy of this order to all counsel of record.

Date: March 5, 1982

Richard L. Williams
UNITED STATES DISTRICT JUDGE