

DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

LAWRENCE CARTY, et al.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil No. 1994-78
	)	
ALBERT BRYAN, et al., ¹	)	
	)	
Defendants.	)	
_____	)	

ATTORNEYS:

Eric Balaban

National Prison Project of the ACLU
Washington, DC

For the plaintiff Lawrence Carty,

Carol Thomas-Jacobs, Acting Attorney General

Shari N D'Andrade, AAG

Richard Schrader, JR, AAG

Ariel Marie Smith-Francois, AAG

Virgin Islands Department of Justice
Christiansted, VI

For the defendants.

ORDER

GÓMEZ, J.

On February 22, 2019, the Court held an evidentiary hearing in this matter. At that hearing, Lawrence Carty ("Carty") and the Bureau of Corrections ("BOC") were each afforded an opportunity to present evidence and to be heard. Additionally,

¹ Pursuant to Federal Rule of Civil Procedure 25(d), the caption of this matter was changed to reflect the substitution of the current Governor of the Virgin Islands as a party.

Carty v. Bryan
Crim. No. 94-78
Page 2

the Court expressed concerns regarding BOC's continuing failure to provide for the timely transfer of seriously mentally ill prisoners in need of inpatient or intermediate care as required by the settlement agreement. The Court inquired of the parties as to whether the appointment of a receiver should be considered in this matter given the nearly 25-year history of non-compliance.

The premises considered, it is hereby

ORDERED that by no later than 3:00 P.M. on April 1, 2019, the parties shall each file a brief with the Court addressing whether the Court should consider appointing a receiver; and, if so, whether the Court should schedule a show cause hearing regarding such appointment.

S_____
Curtis V. Gómez
District Judge