

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

FRANKIE JOHNSON,

Plaintiff,

V.

JEFFERSON S. DUNN, *et al.*,

Defendants.

Case No.: 2:21-cv-1701-AMM

SHOW CAUSE ORDER

This case is before the court on a motion for leave to depose an incarcerated person by Defendant Jefferson Dunn, the former Commissioner of the Alabama Department of Corrections, Doc. 174, and the response of said incarcerated person, Plaintiff Frankie Johnson, *see* Doc. 186. Mr. Johnson opposes the request to depose him the week of June 3rd for several reasons, including that counsel for Defendant Dunn appears to have fabricated citations to legal authority in his motion for leave, “possibly through the use of generative artificial intelligence.” *Id.* at 1.


In his opposition, Mr. Johnson describes at length the bases for his belief that counsel for Defendant Dunn fabricated citations. In the light of the seriousness of the accusation, the court has conducted independent searches for each allegedly fabricated citation, to no avail. Accordingly, each of the four attorneys who signed Defendant Dunn's motion for leave, and the Butler Snow law firm, are **ORDERED**

to show good cause, if there be any, why they should not be sanctioned under Federal Rule of Civil Procedure 11, the court's inherent authority, Local Rule 83.1(f), and/or Alabama Rule of Professional Conduct 3.3 for making false statements of fact or law to the court, not later than **3:00 PM Central Daylight Time on Monday, MAY 19, 2025**. Said counsel are **ORDERED** to append to their filings copies of each allegedly fabricated legal authority; if they cannot provide such copies, counsel are further **ORDERED** to submit sworn declarations that provide a thorough explanation for how the motion and allegedly fabricated cases were generated, and their role in drafting or supervising the motion.

All current counsel who have appeared in the case are **ORDERED** to appear at a show cause hearing at **9:00 AM Central Daylight Time on Wednesday, MAY 21, 2025**, at the Hugo Black United States Courthouse, Courtroom 5B. Any counsel who wishes to be excused from the hearing may promptly seek such relief. Counsel for Defendant Dunn are **DIRECTED** to advise the Commissioner of the Alabama Department of Corrections of this order. Because the attorneys involved in this case are involved in similar litigation throughout the State of Alabama, the Clerk of the Court is **DIRECTED** to serve a copy of this order on Alabama Attorney General Steve Marshall so that he may send an appropriate representative, and the Clerk of the Court is further **DIRECTED** to serve a copy of this order on the Chief Judge of each United States District Court in Alabama.

This case is **STAYED** pending further order of the court.

DONE and **ORDERED** this 16th day of May, 2025.

A handwritten signature in dark ink, appearing to read 'A. Manasco', written over a horizontal line.

ANNA M. MANASCO
UNITED STATES DISTRICT JUDGE