

STATE OF INDIANA        )  
                                  )SS:  
COUNTY OF MONROE    )

IN THE MONROE CIRCUIT COURT VI  
  
CAUSE NO. 53C06-2303-CT-000633

JOSEPH BRADLEY DAVIS,  
Plaintiff,

v.

CITY OF BLOOMINGTON,  
Defendants.

**ORDER DENYING STAY AND ORDER DENYING MOTION FOR DECLARATORY  
ABATEMENT WITH NOTICE**

The Plaintiff, Joseph Bradley Davis, self-represented, filed a document on August 9, 2023, entitled Notice of Appeal wherein he asked the Court to reverse its dismissal of this case and to stay the Abatement Order pending appeal. Plaintiff also filed on August 14, 2023, a document entitled Motion for Declaratory Abatement with Notice. City of Bloomington, represented by Christopher Wheeler, filed on August 11, 2023, Defendants' Motion to Deny Plaintiff's Motion to Stay the Abatement Pending Appeal. Hearing was held on the Motions on August 15, 2023. Plaintiff, Joseph Bradley Davis, appeared in person and self-represented, Defendant, City of Bloomington, appeared by counsel Christopher Wheeler. Argument was heard and the Court finds and Orders as follows:

1. Plaintiff was informed that a Notice of Appeal must be filed with the Court of Appeals and the trial court is not the proper place to file an appeal.
2. The Abatement Order which is the one at issue in this case expired on August 11, 2023. The Defendants asked the Court to extend the Abatement Order but provided no authority upon which the Court could do so. Since the Abatement Order is now expired the Court finds that there is no need for a stay and finds the issue moot. Similarly, the Motion for Declaratory Abatement with Notice is denied as being moot since the Abatement Order is expired.
3. The Defendants, City of Bloomington are not asking for an appeal bond in this case and the Court therefore finds that Plaintiff may proceed to filing an appeal without the necessity of an appeal bond.

SO ORDERED, this 15th day of August, 2023.

  
Kara E. Krothe  
Judge, Monroe Circuit Court VI

**DISTRIBUTION:**

**Plaintiff**

**Defendants**