

The information on this page is NOT an official record. Do not rely on the correctness or completeness of this information. Verify all information with the official record keeper. The information contained in this report is provided in compliance with the Oklahoma Open Records Act, 51 O.S. 24A.1. Use of this information is governed by this act, as well as other applicable state and federal laws.

IN THE DISTRICT COURT IN AND FOR OKLAHOMA COUNTY, OKLAHOMA

Robert A Ravitz, Public defender of Oklahoma
County, on behalf of Kevin Merritt and all similarly
situated inmates incarcerated in the Oklahoma
County Detention Center

Petitioners

v.

Oklahoma County Sheriff John Whetsel,
and Justin Jones Director of Dept of Corrections,
Respondents

No. CV-2006-11

(Civil Misc.: DECLARATORY JUDGMENT - CIVIL NO DAMAGES)

Filed: 08/03/2006

Judge: Unassigned

PARTIES

Jones, Justin Director of Dept of Corrections, Respondent

Merritt, Kevin, Petitioner

Ravitz, Robert A, Plaintiff

WHETSEL, OKLAHOAM COUNTY SHERIFF JOHN, Respondent

ATTORNEYS

Attorney

ANDERSON, RONALD A. (Bar #15715)

DEPARTMENT OF CORRECTIONS

*****INTERAGENCY MAIL*****

P O BOX 11400

OKLAHOMA CITY, OK 73136

Kirby, Richard Wayne (Bar #12363)

General Counsel, Department of Corrections

P.O. Box 11400

****Interagency Mail***

Oklahoma City, OK 73136

Metcalfe, Gregory Thomas (Bar #19526)

1824 STANFORD AVE.

SAINT PAUL, MN 55105

Ravitz, Robert

320 Robert S Kerr

611 County Building

OKLAHOMA CITY, OK 73102

Represented Parties

Jones, Justin Director of Dept of Corrections

Jones, Justin Director of Dept of Corrections

Jones, Justin Director of Dept of Corrections

Jones, Justin Director of Dept of Corrections

Jones, Justin Director of Dept of Corrections

EVENTS

Event

Wednesday, August 23, 2006 at 9:30 AM

HEARING - PETITION FOR DECLARATORY AND INJUNCTIVE RELIEF TO CORRECT
OVERCROWING IN THE OKLAHOMA COUNTY DETENTION CENTER

Friday, September 29, 2006 at 9:00 AM

Other Events

Party

WHETSEL, OKLAHOAM
COUNTY SHERIFF JOHN

WHETSEL, OKLAHOAM
COUNTY SHERIFF JOHN

Docket Reporter

Ray C.
Elliott











Ray C.
Elliott









ISSUES





Issue # 1. Issue: DECLARATORY JUDGMENT - CIVIL NO DAMAGES (DECLARE1)
Filed By: Ravitz, Robert A
Filed Date: 08/03/2006

Party Name	Disposition Information
	Pending.

DOCKET

Date	Code	Description	Count	Party	Amount
08-03-2006	TEXT	CIVIL MISC. INITIAL FILING.	1		
08-03-2006	DECLARE1	DECLARATORY JUDGMENT - CIVIL NO DAMAGES			
08-03-2006	DMFE	DISPUTE MEDIATION FEE			\$ 2.00
08-03-2006	PFE1	PETITION			\$ 72.00
08-03-2006	PFE7	LAW LIBRARY FEE			\$ 6.00
08-03-2006	OCISR	OKLAHOMA COURT INFORMATION SYSTEM REVOLVING FUND			\$ 10.00
08-03-2006	CCADMIN	COURT CLERK ADMINISTRATIVE FEE ON COLLECTIONS			\$ 1.00
08-03-2006	CHAB	C.H.A.B. STATUTORY FEE			\$ 10.00
08-03-2006	P	NOTIFICATION TO THE DISTRICT COURT AND PETITION FOR DECLARATORY AND INJUNCTIVE RELIEF TO CORRECT OVERCROWDING IN THE OKLAHOMA COUNTY DETENTION CENTER Document Available (#1002773886)  TIFF  PDF			
08-03-2006	OH	ORDER FOR HEARING Document Available (#1002773887)  TIFF  PDF			
08-03-2006	CTFREE	ELLIOTT: HEARING ON PETITION FOR DECLARATORY AND INJUNCTIVE RELIEF TO CORRECT OVERCROWDING IN THE OKLAHOMA COUNTY DETENTION CENTER IS SET 8/22/06 @ 1:30 PM.			
08-14-2006	CTFREE	ELLIOTT: HEARING ON PETITION FOR DECLARATORY AND INJUNCTIVE RELIEF TO CORRECT OVERCROWDING IN THE OKLAHOMA COUNTY DETENTION CENTER IS CONTINUED TO 8/23/06 @ 9:30 AM; AT THE REQUEST OF THE DEPARTMENT OF CORRECTIONS (RICHARD KERBY). MR. KERBY IS INSTRUCTED TO INFORM ALL PARTIES OF THE NEW DATE.			
08-15-2006	SDTIP	SUBPOENA DUCES TECUM ISSUED X1 SERVED BY PD OFFICE			
08-15-2006	SS	SUBPOENA SERVED X 2			
08-16-2006	SERV	RETURN OF SERVICE ON SUBPOENA TO CLIFFORD URANGA ON 8/16/06			
08-17-2006	EXHI	EXHIBITS ON BEHALF OF RESPONDENT SHERIFF JOHN WHETSEL (VOLUME 1 EXHIBITS 1-10)			
08-17-2006	EXHI	EXHIBITS ON BEHALF OF RESPONDENT SHERIFF JOHN WHETSEL (VOLUME 11 EXHIBITS 11-14)			
08-17-2006	RESP	SHERIFF JOHN WHETSEL'S RESPONSE TO WRIT FILED ON BEHALF OF KEVIN MERRIT AND OTHERS SIMILARLY SITUATED AND BRIEF IN SUPPORT THEREOF			
08-22-2006	A	RESPONDENT DOC'S ANSWER WITH MOTION TO DISMISS AND BRIEF IN SUPPORT COMES NOW RESPONDENT JONES, DIRECTOR (HEREIN AFTER DOC) THOUGH GENERAL COUNSEL RICHARD W. KIRBY & ASSISTANT GENERAL COUNSEL RONALD A. ANDERSON Document Available (#1003171884)  TIFF  PDF			
08-22-2006	EAA	ENTRY OF APPEARANCE BY ATTY RICHARD W. KIRBY FOR DEFENDANT DIRECTOR JUSTIN JONES Document Available (#1002774200)  TIFF  PDF			
08-22-2006	EAA	ENTRY OF APPEARANCE BY ATTY RONALD A. ANDERSON FOR RESPONDENT'S DIRECTOR JUSTIN JONES Document Available (#1002774201)  TIFF  PDF			
08-22-2006	EXHI	PETITIONER'S EXHIBITS AND INDEX			

Date	Code	Description	Count	Party	Amount
08-23-2006	CTFREE	ELLIOTT: COMES ON FOR HEARING ON PETITION FOR DECLARATORY AND INJUNCTIVE RELIEF TO CORRECT OVERCROWING IN THE OKLAHOMA COUNTY DETENTION CENTER. ROBERT RAVITZ APPEAR FOR PETITIONER. JOHN JACOBSEN APPEARS FOR RESPONDENT WHETSEL. RICHARD KIRBY AND RONALD ANDERSON APPEARS FOR RESPONDENT JONES. PRELIMINARY STATEMENTS PRESENTED BY EACH PARTY. PETITIONER PRESENTS CASE IN CHIEF. WITNESSES SWORN, TESTIMONY HEARD, EVIDENCE INTRODUCED. PETITIONER RESTS. COURT IN RECESS UNTIL 8/24/06 @ 9:30 AM. COURT REPORTER MARLA CULLISON.			
08-23-2006	SS	SUBPOENA SERVED MR HANDY AT FRONT ENTERENCE 8-20-06			
08-24-2006	CTFREE	ELLIOTT: COMES ON FOR HEARING ON PETITION FOR DECLARATORY AND INJUNCTIVE RELIEF TO CORRECT OVERCROWDING IN THE OKLAHOMA COUNTY DETENTION CENTER (DAY TWO). ROBERT RAVITZ APPEARS FOR PETITIONER. JOHN JACOBSEN APPEARS FOR RESPONDENT WHETSEL. RICHARD KIRBY AND RONALD ANDERSON APPEARS FOR RESPONDENT JONES. RESPONDENT WHETSEL PRESENTS CASE IN CHIEF. WITNESS SWORN, TESTIMONY HEARD, EVIDENCE INTRODUCED. RESPONDENT WHETSEL RESTS. RESPONDENT JONES RESTS. NO REBUTTAL. RESPONDENT JONES AND RESPONDENT WHETSEL MOVE THE COURT TO DISMISS FOR LACK OF JURISDICTION. ARGUMENTS PRESENTED. MOTION OVERRULED. CLOSING ARGUMENTS. PARTIES INSTRUCTED TO HAVE THEIR FINDINGS OF FACT SUBMITTED TO THE COURT BY 12:00 PM ON 9/11/06. THE COURT WILL RENDER A DECISION ON 9/18/06 @ 9:30 AM. COURT REPORTER MARLA CULLISON.			
08-29-2006	O	ORDER/ELLIOTT Document Available (#1003852671)  TIFF  PDF			
09-06-2006	NO	NOTICE OF FILING			
09-06-2006	T&3	ORIGINAL TRANSCRIPT & 3 COPIES OF HEARING HAD ON 8-23-06 VOLUME ONE OF TWO AND HEARING HAD ON 8-24-06 VOLUME TWO OF TWO. ORIGINAL AND THREE COPIES OF EXHIBITS/JUDGE ELLIOTT/COURT REPORTER MARLA CULLISON			
09-06-2006	RECP	RECEIPT FOR TRANSCRIPT/ONE COPY OF HEARING HAD ON 8-23-06 VOLUME ONE OF TWO AND ONE COPY OF HEARING HAD ON 8-24-06 VOLUME TWO OF TWO. ONE COPY OF EXHIBITS/PATTI QUEEN, PD'S OFFICE, 713-1550 Document Available at Court Clerk's Office			
09-11-2006	F&C	RESPONDENT DOC DIRECTOR JONES' PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW			
09-11-2006	O	PETITIONER'S PROPOSED ORDER			
09-11-2006	F&C	RESPONDENT SHERIFF JOHN WHETSEL'S PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW			
09-13-2006	CTFREE	ELLIOTT: THE 9/18/06 DECISION IS HEREBY CONTINUED TO 9/21/06 @ 9:00 AM. ALL PARTIES NOTIFIED THIS DATE.			
09-19-2006	CTFREE	ELLIOTT: THE 9/21/06 DECISION IS HEREBY CONTINUED TO 9/22/06 @ 9:00 AM. ALL PARTIES NOTIFIED THIS DATE.			
09-22-2006	CTFREE	ELLIOTT: DECISION IS HEREBY CONTINUED TO 9/29/06 @ 9:00 AM. ALL PARTIES NOTIFIED THIS DATE.			
09-29-2006	O	ORDER DENYING STAY/ELLIOTT Document Available at Court Clerk's Office			
09-29-2006	O	ORDER/ELLIOTT Document Available at Court Clerk's Office			
10-04-2006	MO	RESPONDENT SHERIFF JOHN WHETSEL'S MOTION FOR STAY OF ORDER OF SEPTEMBER 29, 2006 Document Available (#1003853261)  TIFF  PDF			
10-04-2006	O	ORDER DENYING STAY/ELLIOTT Document Available (#1003853260)  TIFF  PDF			
10-05-2006	NO	NOTICE OF FILING			
10-05-2006	T&2	ORIGINAL TRANSCRIPT & 2 COPIES OF PROCEEDINGS HAD ON 9-29-2006/JUDGE ELLIOTT/COURT REPORTER MARLA CULLISON			
10-06-2006	NO	JOINT NOTICE OF INTENT TO APPEAL			
10-23-2006	O	ORDER STAYING DISTRICT COURT ORDER AND DIRECTING A RESPONSE PR-2006-1115			
10-24-2006	CT	COURT CLERK'S CERTIFICATE ACCELERATED APPEAL PR-06-1115			
02-05-2007	O	ORDER DENYING APPLICATION FOR WRIT OF PROHIBITION AND LIFTING STAY Document Available (#1004257408)  TIFF  PDF			

Date	Code	Description	Count	Party	Amount
02-08-2007	O	ORDER SHEDULING THE TRANSPORT AND TRANSFER OF CURRENT AND FUTURE OKLAHOMA COUNTY DETENTION CENTER INMATES SENTENCED TO THE CUSTODY OF THE DEPARTMENT OF CORRECTIONS / JUDGE RAY C. ELLIOTT Document Available (#1004551490)  TIFF  PDF			
03-16-2007	EAA	ENTRY OF APPEARANCE BY ATTORNEY GREGORY THOMAS MEDCALFE ASSISTANT ATTORNEY GENERAL FOR JUSTIN JONES, DIRECTOR OF DEPT. OF CORRECTIONS Document Available (#1004255236)  TIFF  PDF			
03-20-2007	CTFREE	ELLIOTT: COMES ON FOR HEARING ON PETITION FOR DECLARATORY AND INJUNCTIVE RELIEF TO CORRECT OVERCROWING IN THE OKLAHOMA COUNTY DETENTION CENTER REVIEW. ROBERT RAVITZ APPEARS FOR PETITIONER, JOHN JACOBSON APPEARS FOR RESPONDENT WHETSEL. RICHARD KIRBY APPEARS FOR RESPONDENT JONES. COURT DETERMINES ALL PARTIES IN COMPLIANCE WITH [30] DAY PORTION OF ORDER. MARLA CULLISON PRESENT.			
03-26-2007	NO	NOTICE OF FILING			
03-26-2007	TR	TRANSCRIPT OF HEARING HAD ON THE 20TH DAY OF MARCH, 2007 BEFORE THE HONORABLE RAY C. ELLIOTT (ORIGINAL & 2 COPIES)			
04-04-2007	MO	RESPONDENT JONES' MOTION FOR STAY OF ORDER			
01-25-2008	MOSJ	MOTION FOR SUMMARY JUDGMENT OF FILED MOTIONS		Merritt, Kevin	\$ 50.00