

CLOSED

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:91-cv-07279-WHP**

Cuoco v. Moritsugu, et al  
Assigned to: Judge William H. Pauley, III  
Demand: \$0  
Case in other court:  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 10/28/1991  
Date Terminated: 06/06/2001  
Jury Demand: None  
Nature of Suit: 550 Prisoner: Civil  
Rights  
Jurisdiction: U.S. Government  
Defendant

**Plaintiff**

**John Andrew Cuoco**

represented by **John Andrew Cuoco**  
(80894-054)  
F.M.C. Rochester  
PMB 4000  
Rochester, MN 55903-4000  
PRO SE

V.

**Defendant**

**Dr. Kenneth Moritsugu**

**Defendant**

**G. L. Hershberger**  
*TERMINATED: 11/16/1992*

**Defendant**

**Don Moore**  
*TERMINATED: 11/16/1992*

**Defendant**

**Dr. R. Barraco**

**Defendant**

**J. Michael Quinlan**

**Defendant**

**M.D. M. Malik**

*TERMINATED: 11/16/1992*

**Defendant**

**Ph.D. M. Salamack**

*TERMINATED: 11/16/1992*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
10/28/1991	1	Order endorsed on declaration and support of request to proceed in forma pauperis, granted ; ( signed by Judge Charles L. Brieant ) (do) (Entered: 11/04/1991)
10/28/1991	2	COMPLAINT filed; Summons issued and Notice pursuant to 28 U.S.C. 636(c); (do) (Entered: 11/04/1991)
11/19/1991	3	AMENDED COMPLAINT by John Andrew Cuoco , (Answer due 11/29/91 for R. Barraco, for Don Moore, for G. L. Hershberger, for Kenneth Moritsugu ) amending [2-1] complaint against J. Michael Quinlan, M. Malik, M. Salamack; Summons issued. (do) (Entered: 11/21/1991)
02/21/1992	4	MARSHALS RETURN OF SERVICE executed as to J. Michael Quinlan by Cert. Mail #897-665-835 on 2/14/92 Answer due on 3/5/92 for J. Michael Quinlan (do) (Entered: 02/21/1992)
02/21/1992	4	MARSHALS RETURN OF SERVICE executed as to Kenneth Moritsugu by Cert. Mail #898-665-836 on 2/14/92 Answer due on 3/5/92 for Kenneth Moritsugu (do) (Entered: 02/21/1992)
02/21/1992	4	MARSHALS RETURN OF SERVICE executed as to G. L. Hershberger by Cert. Mail #897-665-837 on 2/14/92 Answer due on 3/5/92 for G. L. Hershberger (do) (Entered: 02/21/1992)
02/21/1992	4	MARSHALS RETURN OF SERVICE executed as to Don Moore by Cert. Mail # 897-665-838 on 2/14/92 Answer due on 3/5/92 for Don Moore (do) Modified on 02/21/1992 (Entered: 02/21/1992)
02/21/1992	4	RETURN OF SERVICE executed as to R. Barraco by Cert. Mail # 823-246-280 on 2/14/92 Answer due on 3/5/92 (do) (Entered: 02/21/1992)
02/21/1992	4	MARSHALS RETURN OF SERVICE executed as to M. Malik by Cert. Mail # 823-246-281 on 2/14/92 Answer due on 3/5/92 for M. Malik (do) (Entered: 02/21/1992)

02/21/1992	4	MARSHALS RETURN OF SERVICE executed as to M. Salamack by Cert. Mail #823-246-282 on 2/14/92 Answer due on 3/5/92 for M. Salamack (do) (Entered: 02/21/1992)
02/21/1992	4	MARSHALS RETURN OF SERVICE executed upon the U.S. Attorney for the S.D.N.Y. by Ellen Villalobos on 2/14/92 (do) (Entered: 02/21/1992)
02/21/1992	4	MARSHALS RETURN OF SERVICE executed upon the Attorney Gen. Dept. of Justice by Cert. Mail # 897-665-918 on 2/14/92 (do) (Entered: 02/21/1992)
02/28/1992	5	MEMO END. on Motion re: summon ..etc...., DENIED as moot. ..etc..,( signed by Judge Lawrence M. McKenna ); Copies mailed (do) (Entered: 03/04/1992)
03/23/1992	7	NOTICE OF MOTION by John Andrew Cuoco for appointment of counsel w/supporting declaration of John Andrew Cuoco. (do) (Entered: 03/30/1992)
03/25/1992	10	MEMO END. , granting leave to file Request for production of Documents ( signed by Judge Lawrence M. McKenna ); Copies mailed (do) (Entered: 04/27/1992)
03/25/1992	11	Fld. Plaintiffs Request for production of Documents. (do) (Entered: 04/27/1992)
03/26/1992	6	Filed Memo_Endorsement on letter dated 3/24/92, reset answer due for 5/29/92 for M. Salamack, for M. Malik, for J. Michael Quinlan, for R. Barraco, for Don Moore, for G. L. Hershberger, for Kenneth Moritsugu ( signed by Judge Lawrence M. McKenna ) (do) (Entered: 03/27/1992)
04/01/1992	8	MEMORANDUM AND ORDER withdrawing [7-1] motion for appointment of counsel ( signed by Judge Lawrence M. McKenna ); Copies mailed (do) (Entered: 04/13/1992)
04/13/1992	9	NOTICE OF MOTION by John Andrew Cuoco for an order granting plaintiff physical access to the main law library at FCI Otisville to do legal research ad writing in furtherance of this litigation , and permitting plaintiffs to possess a ballpoint of felt tip pen within her cell in the Special Housing Unit...etc., (do) (Entered: 04/27/1992)
04/20/1992	13	MEMO END., for leave to file 2nd. request for production of documents GRANTED..ETC., ( signed by Judge Lawrence M. McKenna ); Copies mailed (do) (Entered: 05/05/1992)

04/28/1992	12	Filed Memo_Endorsement on letter dated 4.21.92, by Edward scarvalone in re: Defts' opposition to motion set to 5/29/92 for [9-1] motion for an order granting plaintiff physical access to the main law library at FCI Otisville to do legal research ad writing in furtherance of this litigation, and provide him with a ball point pen , Plaintiff's reply brief (if any) to motion by June 12, 1992 , and Return date set to 2:00 6/19/92. So Ordered: ( signed by Judge Lawrence M. McKenna ) (ys) Modified on 05/04/1992 (Entered: 05/04/1992)
06/01/1992	14	MEMORANDUM of LAW by Edward Scarvalone, AUSA in opposition Plaintiff's Omnibus Motion (ys) (Entered: 06/02/1992)
06/01/1992	15	DECLARATION of Carol Hawthorne re: Otisville records.... (ys) (Entered: 06/02/1992)
06/02/1992	16	Filed Memo_Endorsement on letter by Edward Scarvalone, AUSA, dated 5/18/92, To Judge McKenna re: set defendants' moving brief due for 6/17/92 and Plaintiff's opposition set for July 20, 1992 and Defendants' reply brief set for July 31, 1992...So Ordered. ( signed by Judge Lawrence M. McKenna ) (ys) (Entered: 06/03/1992)
06/08/1992	17	AFFIRMATION OF John Andrew Cuoco Re: in Support of Omnibus Motion (ys) (Entered: 06/09/1992)
06/22/1992	18	MEMORANDUM by Kenneth Moritsugu, G. L. Hershberger, Don Moore, R. Barraco, J. Michael Quinlan, M. Malik, M. Salamack in support of Defendant's Motion to Dismiss, or for Summary Judgment. (ys) (Entered: 06/23/1992)
06/22/1992	19	NOTICE OF MOTION by Kenneth Moritsugu, G. L. Hershberger, Don Moore, R. Barraco, J. Michael Quinlan, M. Malik, M. Salamack to dismiss , or for summary judgment , Return date 8/7/92 (ys) (Entered: 06/23/1992)
06/22/1992	20	Filed Memo_Endorsement on letter by Edward Scarvalone dated 6/17/92, to Judge McKenna re: request a two-day extension of time permitting the motion to be served and filed June 19, 1992. Granted. So Ordered: ( signed by Judge Lawrence M. McKenna ) (ys) (Entered: 06/26/1992)
11/16/1992	21	MEMORANDUM AND ORDER granting [19-1] motion to dismiss the amend complaint as to defts. Hershberger, Malik, Moore and Salamack denying [19-2] motion for summary judgment denying [9-1] motion for an order granting plaintiff physical access to the main law library at FCI Otisville to do legal research ad writing in furtherance of this litigation denying [9-2] motion permitting plaintiffs to possess a ballpoint of felt tip pen within her cell in the Special Housing Unit...etc., set discovery

		due for 7/30/93 ( signed by Judge Lawrence M. McKenna ); Copies mailed (jr) (Entered: 11/19/1992)
12/02/1992	22	Filed Memo_Endorsement on letter from Edward Scarvalone, AUSA dated 11/30/92, reset defts motion filing deadline for 12/22/92 to reargue... GRANTED, SO ORDERED, MCKENNA, J. ( signed by Judge Lawrence M. McKenna ) Copies mailed Chambers (mk) Modified on 09/24/1993 (Entered: 12/03/1992)
12/15/1992	23	ORDER,... that the time for such defendants to file a notice of appeal shall be extended for thirty days beyond the date required for filing pursuant to Rule 4 (a)(1) of the Federal Rules of Appellate Procedure. ( signed by Judge Lawrence M. McKenna ); Copies mailed (ys) (Entered: 12/16/1992)
12/18/1992	24	Filed Memo_Endorsement on letter by John Andrew Cuoco, dated 12/13/92, to Judge McKenna re: request a 60 day extension of time to respond to defendants' motion to reargue the court's memorandum and order and to be due on or before February 22, 1993. Granted. So Ordered: ( signed by Judge Lawrence M. McKenna ) (ys) (Entered: 12/23/1992)
12/22/1992	25	Filed Memo_Endorsement on letter by Edward Scarvalone, dated 12/21/92, to Judge McKenna re: reset motion filing deadline for 12/30/92 Granted. So Ordered: ( signed by Judge Lawrence M. McKenna ) (ys) (Entered: 12/28/1992)
12/30/1992	26	NOTICE OF MOTION by J. Michael Quinlan, R. Barraco, Kenneth Moritsugu for reargument of the Court's November 13, 1992 memorandum decision, Pursuant to Local Rule 3 (j) of the Civil Rules of this Court , Return date 3/10/93 (ys) (Entered: 01/04/1993)
12/30/1992	27	MEMORANDUM by J. Michael Quinlan, R. Barraco, Kenneth Moritsugu in support of [26-1] motion for reargument of the Court's November 13, 1992 memorandum decision, Pursuant to Local Rule 3 (j) of the Civil Rules of this Court (ys) (Entered: 01/04/1993)
01/11/1993	29	NOTICE OF MOTION by John Andrew Cuoco for an Order pursuant to Rule 60 (b) of the Federal Rules of Civil Procedure, denying defendants' motion to dismiss the Amended Complaint under Rule 12(b)(6), FRCP, after reconsideration of this Court's Memorandum and Order filed November 16, 1992,.... , Return date 1/15/93 (ys) (Entered: 01/14/1993)
01/12/1993	31	Order endorsed on declaration and support of request to proceed in forma pauperis, granted ; ( signed by Judge Lawrence M. McKenna ) (mk) (Entered: 02/04/1993)

01/12/1993	32	Filed Memo_Endorsement on letter from Pro Se Office dated 1/7/93, dismissing the Amended Cmplt in favor of defts Hershberger, Moore, Malik & Salamack... SO ORDERED, MCKENNA, J. ( signed by Judge Lawrence M. McKenna ) (mk) (Entered: 02/04/1993)
01/13/1993	28	Filed Memo_Endorsement on letter by John Andrew Cuco, dated 12/31/92, to Judge McKenna re: request an extension of time through and including 2/22/93, to submit a supplemental affirmation in support of my motion for reconsideration, or alternatively, otherwise indicate to the Court the need for a subpoenas duces tecum to compel the defendants to produce for inspection and copying certain documents which in all fairness should be considered with my affirmation and motion. Granted. So Ordered: ( signed by Judge Lawrence M. McKenna ) (ys) (Entered: 01/13/1993)
01/20/1993	30	Filed Memo-Endorsement on letter dated 1/15/93, to vacate the Court's order of 11/13/92 (entered 11/19/92) for the purpose set forth in this letter only, subject to reinstatement of the motion for reargument ( signed by Judge Lawrence M. McKenna ) (emil) (Entered: 01/21/1993)
03/04/1993	33	JUDGMENT for M. Salamack, M. Malik, Don Moore, G. L. Hershberger against John Andrew Cuoco...Ordered, ...That plaintiff's omnibus motion be and it is hereby denied as moot, and it is further, Ordered, that the motion of defendants Hershberger, Malik, Moore and Salamack be and it is hereby granted, and it is further, Ordered, that the motion of defendants Quinlan, Moritsugu and Barraco be and it is hereby denied with leave to renew upon completion of discovery, pursuant to Rule 12 (b)(6) or Rule 56, F.R.Civ. P., Ordered, that the Amended Complaint be and it is hereby dismissed as against defendants G.L. Hershberger, Don Moore, R. Barraco, M.D., Malik, M.D.; EOD 3/9/93. (Signed by James M. Parkison, Clerk); Mailed copies and notice of right to appeal. (ys) (Entered: 03/09/1993)
03/04/1993	34	NOTICE OF APPEAL by John Andrew Cuoco ; from order entered 11/12/92 granting deft's motion to dismiss . Copies of notice of appeal mailed to Attorney(s) of Record: John Andrew Cuoco and US Dept of Justice NYC . (jf) (Entered: 03/15/1993)
03/15/1993		Notice of appeal and certified copy of docket to USCA: [34-1] appeal by John Andrew Cuoco ; Copy of notice of appeal sent to District Judge. (jf) (Entered: 03/15/1993)
03/23/1993	35	NOTICE OF MOTION by J. Michael Quinlan, R. Barraco, Kenneth Moritsugu to vacate a alter or amend the judgment , Return date 4/20/93 (kr) (Entered: 03/23/1993)

03/23/1993	36	MEMORANDUM by J. Michael Quinlan, R. Barraco, Kenneth Moritsugu in support of [35-1] motion to vacate a alter or amend the judgment (kr) (Entered: 03/23/1993)
04/19/1993	37	NOTICE TO THE DOCKET CLERK... ORIGINAL RECORD... The record in the above entitled case was sent to the USCA for the Second Circuit on the 19 day of April, 1993. (ys) (Entered: 04/20/1993)
06/01/1993	39	Deposition subpoena by John Andrew Cuoco of Cathy Hawk, Ph.D.,Dir., Fed. Bureau of Prisons, Central Office, Washington, D.C. on (within 14 days from date of service by U.S. Marshal) (sc) Modified on 06/10/1993 (Entered: 06/10/1993)
06/01/1993	40	Deposition subpoena by John Andrew Cuoco of Dr. Sally Johnson, M.D. on (within 14 days from date of service by U.S. Marshal) (sc) (Entered: 06/10/1993)
06/01/1993	41	Deposition subpoena by John Andrew Cuoco of Ms. Ruth Outlar, Med. Records Access Officer, Correctional Health Services, 125 Worth St., N.Y.,N.Y. on (within 14 days from date of service by marshal) (sc) (Entered: 06/10/1993)
06/01/1993	42	Deposition subpoena by John Andrew Cuoco of Louis L. Wainright, Secretary, Florida Dept. of Corrections, Tallahassee, Fla. on (within 14 days from date of service by cert. mail) (sc) (Entered: 06/10/1993)
06/01/1993	43	Deposition subpoena by John Andrew Cuoco of Cathy M. Barber, Ph.D., Forensic Physiologist, FCI, Fairton,N.J. on (within 14 days from date of service by U.S. Marshal) (sc) (Entered: 06/10/1993)
06/02/1993	38	Filed Memo_Endorsement on letter by John Cuoco, dated 4/22/93 attached letter for 5/25/93, to Judge McKenna re: for reconsideration of motion for Appointment of Counsel granting [7-1] motion for appointment of counsel. So Ordered: ( signed by Judge Lawrence M. McKenna ) (ys) (Entered: 06/03/1993)
08/20/1993		fld notice of address change for plntf (change indicated on system) (cd) (Entered: 08/25/1993)
08/23/1993	44	NOTICE OF MOTION by John Andrew Cuoco for temporary restraining order and/or preliminary injunction , Return date 9/1/93 (cd) (Entered: 08/25/1993)
08/30/1993	45	MANDATE OF USCA (certified copy) Re: appellant motions for reinstatement of the appeal, for an extension of time in which to file a brief and for appointment of counsel are DENIED (cd) (Entered: 09/07/1993)



09/07/1993	46	Filed Memo_Endorsement on letter dated 8/25/93, Response to motion reset to 10/22/93 for [44-1] motion for temporary restraining order and/or preliminary injunction ( signed by Judge Lawrence M. McKenna ) (cd) (Entered: 09/09/1993)
10/05/1993	47	Filed Memo_Endorsement on memo dated 10/01/93, for leave to file motion to amend complaint ( signed by Judge Lawrence M. McKenna ) (cd) (Entered: 10/12/1993)
10/05/1993	48	NOTICE OF MOTION by John Andrew Cuoco for leave to file second amended supplemental complaint , Return date 10/6/93 (cd) (Entered: 10/12/1993)
10/05/1993	49	Filed Memo_Endorsement on memo dated 10/1/93, for plntf to leave to file motion to compel discovery ( signed by Judge Lawrence M. McKenna ) (cd) (Entered: 10/12/1993)
10/05/1993	50	NOTICE OF MOTION by John Andrew Cuoco to compel discovery , Return date 10/5/93 (cd) (Entered: 10/12/1993)
10/06/1993	51	ORDER, Response to motion of govt for reconsideration is extended to 1/14/94 ( signed by Judge Lawrence M. McKenna ); Copies mailed (cd) (Entered: 10/12/1993)
10/12/1993	52	AFFIDAVIT in support of John Andrew Cuoco by John Andrew Cuoco Re: [44-1] motion for temporary restraining order and/or preliminary injunction (cd) (Entered: 10/18/1993)
11/01/1993	54	NOTICE OF MOTION by John Andrew Cuoco to strike def't's motion for reargument in its entirety , Return date 11/15/93 (cd) (Entered: 11/10/1993)
11/02/1993	53	Filed Memo_Endorsement on letter dated 10/29/93, Response to motion reset to 11/19/93 for [44-1] motion for temporary restraining order and/or preliminary injunction ...Granted. So Ordered. ( signed by Judge Lawrence M. McKenna ) (sc) (Entered: 11/03/1993)
11/19/1993	55	MEMORANDUM by J. Michael Quinlan, R. Barraco, Kenneth Moritsugu in opposition to [44-1] motion for temporary restraining order and/or preliminary injunction (cd) (Entered: 11/22/1993)
11/19/1993	56	DECLARATION of H. Jacob Re: review of records maintained by FCI McKean. (cd) (Entered: 11/23/1993)
11/23/1993	57	RESPONSES & OBJECTIONS by J. Michael Quinlan Re: Subpoena Dtd. 9/20/93 (sc) (Entered: 11/24/1993)



01/11/1994	58	Supplemental AFFIRMATION in support of John A. Cuoco by John Andrew Cuoco Re: [44-1] motion for temporary restraining order and/or preliminary injunction (sc) Modified on 01/20/1994 (Entered: 01/20/1994)
01/28/1994	59	MEMORANDUM & ORDER, set evidentiary hearing for 10:15 2/17/94 , that on the papers submitted, the Court is unable to conclude that the motion is moot etc. ( signed by Judge Lawrence M. McKenna ); Copies mailed (sc) (Entered: 01/31/1994)
02/10/1994	60	Filed Memo_Endorsement on letter dated 2/8/94, that reconsideraion of the court decision to conduct an evidentiary hearing on plntf motion for a preliminary injunction is granted and on reconsieration the Court adheres to its direction that an evidenciary haring will be held on 2/17/94 at 10:15am ( signed by Judge Lawrence M. McKenna ) (cd) (Entered: 02/15/1994)
02/15/1994	61	ORDER, reset oral argument set for 3/18/94 for plntf motion for a preliminary injunction ( signed by Judge Lawrence M. McKenna ); Copies mailed (cd) (Entered: 02/18/1994)
02/18/1994	62	Filed Memo_Endorsement on letter dated 1/15/94, request for telephone conference denied. All necessary matters may be discussed on 3/18/94... ( signed by Judge Lawrence M. McKenna ) (cd) (Entered: 03/01/1994)
07/14/1994	63	Filed Memo_Endorsement on letter from Edward Scarvalone, AUSA dated 7/8/94, extending time 14 days after receipt of the affirmation to respond to plttf's motion... GRANTED. SO ORDERED, MCKENNA, J. ( signed by Judge Lawrence M. McKenna ) (mk) (Entered: 07/21/1994)
07/14/1994	64	NOTICE OF MOTION by John Andrew Cuoco for temporary restraining order , or alternatively for preliminary injunction. Return date 7/15/94 @10:15. (lam) (Entered: 07/21/1994)
07/22/1994		Notice of change of address of plttf. John Andrew Cuoco. (lam) (Entered: 07/22/1994)
10/03/1994		Memo endorsed on motion; denying [64-1] motion for temporary restraining order, denying [64-2] motion for preliminary injunction. MOTION DENIED WITHOUT PREJUDICE TO RENEWAL UPON AFFIDAVIT SETTING FORTH FACTS IN SUPPORT OF MOTION. SO ORDERED. MCKENNA, J. ( signed by Judge Lawrence M. McKenna ); Copies Mailed Chambers mailed. (lam) (Entered: 10/07/1994)
04/05/1995	65	AFFIRMATION of John Andrew Cuoco. (lam) (Entered: 04/12/1995)

04/20/1995	66	MEMORANDUM OF LAW by M. Salamack, M. Malik, J. Michael Quinlan, R. Barraco, Don Moore, G. L. Hershberger, Kenneth Moritsugu opposition to [64-2] motion for preliminary injunction. (dj) (Entered: 04/26/1995)
04/20/1995	67	DECLARATION of J. Howard Losiewicz Re: as to certain facts and information.. (dj) (Entered: 04/26/1995)
06/05/1995	68	MEMORANDUM AND ORDER, Plaintiff's motion for an order pursuant to F.R.C.P. 60(b) granting reconsideration of the Court's order of 9/27/94,... is denied. SO ORDERED: ( signed by Judge Lawrence M. McKenna ) (ae) (Entered: 06/07/1995)
06/15/1995	69	Filed Memo_Endorsement on letter dated 6/8/95, motion filing deadline extended for thirty days re Memorandum order of 5/31/95 ( signed by Judge Lawrence M. McKenna (cd) (Entered: 06/19/1995)
07/31/1995	70	Filed Memo_Endorsement on letter dated 7/5/95, motion filing deadline extended for 30 days for plntf motion for reargument ( signed by Judge Lawrence M. McKenna (cd) (Entered: 08/02/1995)
09/05/1995	71	NOTICE of Change of Address by John Andrew Cuoco (pl) (Entered: 09/11/1995)
02/28/1996	72	NOTICE of CHANGE OF ADDRESS by John Andrew Cuoco (pl) (Entered: 02/28/1996)
05/22/1996	73	NOTICE of change of address by by John Andrew Cuoco (ls) (Entered: 05/23/1996)
10/07/1996	74	MEMORANDUM AND ORDER, Pltff's motion for a preliminary injunction dtd. on or about 5/24/96 is denied w/o prejudice...see doc. , Pltffs. Response to defts'. motion for reargument by 12/20/96 ...SO ORDERED... ( signed by Judge Lawrence M. McKenna ); Copies mailed (ls) (Entered: 10/07/1996)
10/16/1996	75	NOTICE OF APPEAL by John Andrew Cuoco ; from . The final Judgment entered in this action on the 2nd day of October, 1996. Copies of notice of appeal mailed to Attorney(s) of Record: None Listed. IFP Granted. (dt) Modified on 10/21/1996 (Entered: 10/21/1996)
10/23/1996	76	Notice that the record on appeal has been certified and transmitted to the U.S. Court of Appeals on 10/23/96 (pl) (Entered: 10/24/1996)
01/08/1997	77	Filed Memo_Endorsement on letter dated 12/26/96, Response to motion for reargument extended for 10 days for plntf ( signed by Judge Lawrence M. McKenna ) (cd) (Entered: 01/08/1997)

01/08/1997	78	MANDATE OF USCA (certified copy) Re: [75-1] appeal by John Andrew Cuoco. It is ordered that the appeal be, and it hereby is dismissed. (96-2833) George Lange, III, Clerk, USCA. (as) (Entered: 01/13/1997)
05/30/1997	79	MANDATE OF USCA (certified copy) Re: [34-1] appeal by John Andrew Cuoco. A motion for reinstatement having been made, upon consideration thereof, it is hereby denied. (96-2833) George Lange, III, Clerk, USCA. (as) (Entered: 06/02/1997)
07/29/1997		Memo from Pro-Se Office dated 7/25/97 with change of address for John A. Cuoco. Change indicated on the system. (em) (Entered: 07/29/1997)
09/15/1997	80	NOTICE OF MOTION by John Andrew Cuoco for an order pursuant to Rule 25(d)(1) of the FRCP, substituting certain defendants' successors in office, in their official capacity, with the party defendants who cease to hold office , Return date 7/31/97; with declaration in support attached. (ae) (Entered: 09/24/1997)
03/04/1998	81	MEMORANDUM by J. Michael Quinlan, Kenneth Moritsugu, R. Barraco re: in support of defts' motion for reargument; in opposition to [80-1] motion for an order pursuant to Rule 25(d)(1) of the FRCP, substituting certain defendants' successors in office, in their official capacity, with the party defendants who cease to hold office (sac) (Entered: 03/06/1998)
09/30/1998		Terminated documents 35-1;44-1;48-1;50-1;54-1 pursuant to instructions of Judge McKenna. (rag) (Entered: 10/03/1998)
11/02/1998	82	NOTICE OF APPEAL by J. Michael Quinlan, Kenneth Moritsugu, R. Barraco ; from ; the Memorandum and Order dated November 12, 1992, and entered on November 19, 1992, denying defendants' motion for dismissal or for summary judgment, and the Memorandum and order dated September 29, 1998 . Copies of notice of appeal mailed to Attorney(s) of Record: John Andrew Cuoco . Appeal record due on 12/2/98. (dt) (Entered: 11/02/1998)
11/02/1998		Notice of appeal and certified copy of docket to USCA: [82-1] appeal by R. Barraco, Kenneth Moritsugu, J. Michael Quinlan ; Copy of notice of appeal sent to District Judge. (dt) (Entered: 11/02/1998)
11/06/1998		Notice of appeal and certified copy of docket to USCA: [88-1] appeal by John Andrew Cuoco ; Copy of notice of appeal sent to District Judge. (as) (Entered: 06/25/1999)
11/06/1998	88	NOTICE OF APPEAL by John Andrew Cuoco ; from memorandum & order entered on 11/19/92 granting in part, defts. motion for dismissal or

		for summary judgment and memorandum & order dated September 29, 1998. Copies of notice of appeal mailed to Attorney(s) of Record: US Attys Office. Fee Pd. \$105.00, rec # 345678. . (as) (Entered: 06/25/1999)
11/23/1998	83	Notice of reassignment to Judge William H. Pauley III. Copy of notice and judge's rules mailed to Attorney(s) of record: John Andrew Cuoco . (pl) (Entered: 12/01/1998)
12/18/1998	84	Notice that the record on appeal has been certified and transmitted to the U.S. Court of Appeals: [82-1] appeal by R. Barraco, Kenneth Moritsugu, J. Michael Quinlan. (dt) (Entered: 12/18/1998)
01/22/1999	89	Filed letter from A. Tull, Pro Se Office, re Notice of appeal dated 11/6/98. (as) (Entered: 06/25/1999)
05/14/1999	85	ORDER, purs to Rule 10(e) of the Federal Rules of Appellate Procedure, that the Clerk shall file in the official record of this matter the attached copies of documents as described in this order ( signed by Judge William H. Pauley III ); Copies mailed (lam) (Entered: 05/18/1999)
05/19/1999	86	Filed notice of 1st suppl. transmittal of R.O.A. [82-1] appeal by R. Barraco, Kenneth Moritsugu, J. Michael Quinlan. (dt) (Entered: 05/19/1999)
05/21/1999		USCA appeal fees received \$ 105.00 on May 21, 1999 on receipt # E 345678. (dt) (Entered: 05/21/1999)
06/08/1999	87	ORDER, pursuant to Rule 10(e) of the FRAP, that the Clerk shall file in the official record of this matter the copies of documents as set forth in this document (signed by Judge William H. Pauley III); Copies mailed. (kw) Modified on 06/10/1999 (Entered: 06/09/1999)
06/10/1999		1st Supplemental indexed record on appeal files (98-2954) sent to the U.S.C.A. *Files requested by Elizabeth Munoz from the U.S.C.A.)*. (dt) (Entered: 06/10/1999)
06/25/1999	90	Notice that the record on appeal has been certified and transmitted to the U.S. Court of Appeals: [88-1] appeal by John Andrew Cuoco (as) (Entered: 06/25/1999)
06/25/1999		2nd Supplemental indexed record on appeal documents sent to USCA, requested by Elizabeth Munoz. USCA # 98-2954. (as) (Entered: 06/25/1999)
06/27/2000	91	Case closed administratively Pursuant to Memorandum From the Administrative Office of the United States Courts, Dated June 15th, 1973. (jp) (Entered: 06/27/2000)

07/14/2000	92	NOTICE of change of address by John Andrew Cuoco (lam) (Entered: 07/24/2000)
08/02/2000		Case reopened. (kw) (Entered: 08/03/2000)
08/02/2000	93	MEMORANDUM AND ORDER, for the reasons set forth in the Court of Appeals' decision dated 7/28/00, summary judgment is granted in favor of defendants and against plaintiff dismissing the complaint as to all defendants (on the ground of absolute immunity pursuant to 42 USC 233(a) in the case of defendants Barraco and Moritsugu, and on the ground of qualified immunity in the case of the other defendants) ; the Clerk is directed to enter judgment dismissing the complaint . ( signed by Judge Lawrence M. McKenna ); Copies mailed. (Sent to the Judgment Clerk). (kw) (Entered: 08/03/2000)
08/04/2000	94	JUDGMENT; it is ordered, adjudged and decreed that for the reasons stated in the Court's Memorandum and Order dated 8/1/00, the complaint is dismissed. ( signed by James M. Parkison, Clerk of the Court ); Mailed copies and notice of right to appeal. Entered On Docket: 8/7/00. (sac) (Entered: 08/07/2000)
08/04/2000		Case closed. (sac) (Entered: 08/07/2000)
09/25/2000	95	MANDATE OF USCA (certified copy) Re: Reverse in part, Vacated in part, and Remanded to district court for further proceedings [88-1] appeal by John Andrew Cuoco. 98-2954, Roseann B. Mackechnie, Clerk. (sl) (Entered: 09/25/2000)
09/25/2000		Case reopened. (sl) (Entered: 09/25/2000)
10/31/2000		Record on appeal files (98-2954) returned from U.S. Court of Appeals: [82-1] appeal by R. Barraco, Kenneth Moritsugu, J. Michael Quinlan, [88-1] appeal by John Andrew Cuoco. (dt) (Entered: 11/01/2000)
06/06/2001	96	ORDER; that for the reasons stated in Judge McKenna's Memorandum and Order dated 8/1/00. The Clerk is directed to close this action . ( signed by Judge William H. Pauley III ); Copies mailed. (pl) Modified on 06/08/2001 (Entered: 06/07/2001)
06/06/2001		Case closed. (pl) (Entered: 06/07/2001)

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