

**U.S. District Court [LIVE AREA]
Middle District of Georgia (Macon)
CIVIL DOCKET FOR CASE #: 5:21-cv-00334-MTT**

MIDDLETON et al v. WARD et al
Assigned to: CHIEF DISTRICT JUDGE MARC T
TREADWELL
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 09/10/2021
Jury Demand: None
Nature of Suit: 555 Prisoner: Prison
Condition
Jurisdiction: Federal Question

Plaintiff

JOHNELL MIDDLETON

represented by **ALISON GANEM**
60 WALTON ST NW
ATLANTA, GA 30303
404-688-1202
Email: aganem@schr.org
ATTORNEY TO BE NOTICED

C ALLEN GARRETT , JR
1100 PEACHTREE ST NE STE
2800
ATLANTA, GA 30309
404-815-6141
Email:
agarrett@kilpatricktownsend.com
ATTORNEY TO BE NOTICED

EMILIA STROMBERG
1100 PEACHTREE ST NE
STE 2800
ATLANTA, GA 30309
404-815-6109
Fax: 404-541-3200
Email:
estromberg@kilpatricktownsend.com
ATTORNEY TO BE NOTICED

JAMES F BOGAN , III
1100 PEACHTREE ST NE STE
2800

ATLANTA, GA 30309-4530
404-815-6500
Email:
jbogan@kilpatricktownsend.com
ATTORNEY TO BE NOTICED

STEPHANIE BEDARD
1100 PEACHTREE ST
STE 2800
ATLANTA, GA 30309
404-815-6500
Email:
sbedard@kilpatricktownsend.com
ATTORNEY TO BE NOTICED

TAMARA SERWER CALDAS
1100 PEACHTREE ST NE
STE 2800
ATLANTA, GA 30309
404-815-6500
Email:
tcaldas@kilpatricktownsend.com
ATTORNEY TO BE NOTICED

RYAN PRIMERANO
60 WALTON ST NW
ATLANTA, GA 30303
404-688-1202
Email: rprimerano@schr.org
ATTORNEY TO BE NOTICED

Plaintiff

JACORI HODGES

represented by **ALISON GANEM**
(See above for address)
ATTORNEY TO BE NOTICED

C ALLEN GARRETT , JR
(See above for address)
ATTORNEY TO BE NOTICED

EMILIA STROMBERG
(See above for address)
ATTORNEY TO BE NOTICED

JAMES F BOGAN , III
(See above for address)

ATTORNEY TO BE NOTICED

STEPHANIE BEDARD

(See above for address)

ATTORNEY TO BE NOTICED

TAMARA SERWER CALDAS

(See above for address)

ATTORNEY TO BE NOTICED

RYAN PRIMERANO

(See above for address)

ATTORNEY TO BE NOTICED

Plaintiff

COREY HOLBROOKS

*On behalf of themselves and others
similarly situated*

represented by **ALISON GANEM**

(See above for address)

ATTORNEY TO BE NOTICED

C ALLEN GARRETT , JR

(See above for address)

ATTORNEY TO BE NOTICED

EMILIA STROMBERG

(See above for address)

ATTORNEY TO BE NOTICED

JAMES F BOGAN , III

(See above for address)

ATTORNEY TO BE NOTICED

STEPHANIE BEDARD

(See above for address)

ATTORNEY TO BE NOTICED

TAMARA SERWER CALDAS

(See above for address)

ATTORNEY TO BE NOTICED

RYAN PRIMERANO

(See above for address)

ATTORNEY TO BE NOTICED

V.

Defendant

**COMMISSIONER TIMOTHY
WARD**
Georgia Department of Corrections

represented by **ELIZABETH MCRARY
CROWDER**
40 CAPITOL SQ SW
ATLANTA, GA 30334
404-458-3600
Email: ecrowder@law.ga.gov
ATTORNEY TO BE NOTICED

Defendant

AHMED HOLT
*Assistant Commissioner at the
Georgia Department of Corrections*

represented by **ELIZABETH MCRARY
CROWDER**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

ROBERT TOOLE
*Field Operations Director, Georgia
Department of Corrections,*

represented by **ELIZABETH MCRARY
CROWDER**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

STAN SHEPARD
*Southeast Regional Director,
Georgia Department of Corrections*

represented by **ELIZABETH MCRARY
CROWDER**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

JACK SAULS
*Assistant Commissioner, Health
Services Division, Georgia
Department of Corrections,*

represented by **ELIZABETH MCRARY
CROWDER**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

IOANNIS IOANNOU
*Statewide Mental Health Director,
Georgia Department of Corrections*

represented by **ELIZABETH MCRARY
CROWDER**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**WARDEN TREVONZA
BOBBITT**
Georgia State Prison

represented by **ELIZABETH MCRARY
CROWDER**

(See above for address)
ATTORNEY TO BE NOTICED

Defendant

DEPUTY WARDEN CHARLES SPINN
Security, Georgia State Prison

represented by **ELIZABETH MCRARY CROWDER**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

DEPUTY WARDEN JOSH WICKER
Security, Georgia State Prison

represented by **ELIZABETH MCRARY CROWDER**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

DEIDRA EDWARDS
Deputy Warden of Care and Treatment, Georgia State Prison

represented by **ELIZABETH MCRARY CROWDER**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

VIKKI IRWIN
Deputy Warden of Administration, Georgia State Prison

represented by **ELIZABETH MCRARY CROWDER**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

JUANITA SHARPE
Tier II Program Unit Manager, Georgia State Prison

represented by **ELIZABETH MCRARY CROWDER**
(See above for address)
ATTORNEY TO BE NOTICED

ThirdParty Defendant

GEORGIA DEPARTMENT OF CORRECTIONS

represented by **TINA M PIPER**
40 CAPITOL SQ
RM 220A
ATLANTA, GA 30334
404-458-3317
Fax: 404-463-8864
Email: tpiper@law.ga.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/10/2021	<u>1</u>	COMPLAINT against All Plaintiffs Fee paid: Receipt # AGAMDC-3894379, \$402 filed by All Plaintiffs (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons for Timothy Ward, # <u>3</u> Summons for Ahmed Holt, # <u>4</u> Summons for Robert Toole, # <u>5</u> Summons for Stan Shepard, # <u>6</u> Summons for Jack Sauls, # <u>7</u> Summons for Ioannis Ioannou, # <u>8</u> Summons for Trevonza Bobbitt, # <u>9</u> Summons for Charles Spinn, # <u>10</u> Summons for Josh Wicker, # <u>11</u> Summons for Deidra Edwards, # <u>12</u> Summons for Vikki Irwin, # <u>13</u> Summons for Juanita Sharpe)(PRIMERANO, RYAN) (Entered: 09/10/2021)
09/13/2021		Case REASSIGNED to CHIEF DISTRICT JUDGE MARC T TREADWELL. (vs) (Entered: 09/13/2021)
09/13/2021		US MAGISTRATE JUDGE CHARLES H WEIGLE no longer assigned to case. (vs) (Entered: 09/13/2021)
09/13/2021	<u>2</u>	Summons Issued as to All Defendants. (Attachments: # <u>1</u> Summons 2 - Ahmed Holt, # <u>2</u> Summons 3 - Robert Toole, # <u>3</u> Summons 4 - Stan Shepard, # <u>4</u> Summons 5 - Jack Sauls, # <u>5</u> Summons 6 - Ioannis Ioannou, # <u>6</u> Summons 7 - Trevonza Bobbit, # <u>7</u> Summons 8 - Charles Spinn, # <u>8</u> Summons 9 - Josh Wicker, # <u>9</u> Summons 10 - Deidra Edwards, # <u>10</u> Summons 11 - Vikki Irwin, # <u>11</u> Summons 12 - Juanita Sharpe)(vs) (Entered: 09/13/2021)
09/13/2021	<u>3</u>	NOTICE of Attorney Appearance by ALISON GANEM on behalf of All Plaintiffs Attorney ALISON GANEM added to party JACORI HODGES(pty:pla), Attorney ALISON GANEM added to party COREY HOLBROOKS(pty:pla), Attorney ALISON GANEM added to party JOHNELL MIDDLETON(pty:pla)(GANEM, ALISON) (Entered: 09/13/2021)
09/16/2021	<u>4</u>	MOTION to Certify Class by JACORI HODGES, COREY HOLBROOKS, JOHNELL MIDDLETON filed by ALISON GANEM. (Attachments: # <u>1</u> Memorandum in Support Memorandum of Law in Support of Plaintiffs' Motion for Class Certification)(GANEM, ALISON) (Entered: 09/16/2021)
09/27/2021	<u>5</u>	CONSENT MOTION for Extension of Time to File Answer re <u>1</u> Complaint., by TREVONZA BOBBITT, DEIDRA EDWARDS, AHMED HOLT, IOANNIS IOANNOU, VIKKI IRWIN, JACK SAULS, JUANITA SHARPE, STAN SHEPARD, CHARLES SPINN, ROBERT TOOLE, TIMOTHY WARD, JOSH

		WICKER filed by ELIZABETH MCRARY CROWDER. (Attachments: # 1 Proposed Order ORDER ON CONSENT MOTION FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFFS COMPLAINT)(CROWDER, ELIZABETH) (Entered: 09/27/2021)
09/27/2021	6	NOTICE Amended Certificate of Service by JACORI HODGES, COREY HOLBROOKS, JOHNELL MIDDLETON re 4 MOTION to Certify Class (PRIMERANO, RYAN) (Entered: 09/27/2021)
09/28/2021	7	FIRST MOTION for Extension of Time to File RESPONSE as to 4 MOTION to Certify Class by TREVONZA BOBBITT, DEIDRA EDWARDS, AHMED HOLT, IOANNIS IOANNOU, VIKKI IRWIN, JACK SAULS, JUANITA SHARPE, STAN SHEPARD, CHARLES SPINN, ROBERT TOOLE, TIMOTHY WARD, JOSH WICKER filed by ELIZABETH MCRARY CROWDER. (Attachments: # 1 Proposed Order)(CROWDER, ELIZABETH) (Entered: 09/28/2021)
09/29/2021	8	This is a text only entry; no document issued. ORDER GRANTING 5 Motion for Extension of Time to Answer. The defendants shall answer or otherwise respond by October 11, 2021. Ordered by CHIEF DISTRICT JUDGE MARC T TREADWELL on 09/29/21 (mbw) (Entered: 09/29/2021)
09/29/2021	9	This is a text only entry; no document issued. ORDER GRANTING 7 Motion for Extension of Time to File Response. The defendants' response to the motion for class certification is due October 18, 2021. Ordered by CHIEF DISTRICT JUDGE MARC T TREADWELL on 09/29/21 (mbw) (Entered: 09/29/2021)
10/08/2021	10	MOTION to Dismiss Complaint re 1 Complaint,, : by TREVONZA BOBBITT, DEIDRA EDWARDS, AHMED HOLT, IOANNIS IOANNOU, VIKKI IRWIN, JACK SAULS, JUANITA SHARPE, STAN SHEPARD, CHARLES SPINN, ROBERT TOOLE, TIMOTHY WARD, JOSH WICKER filed by ELIZABETH MCRARY CROWDER. (Attachments: # 1 Memorandum in Support, # 2 Affidavit Deidra Edwards, # 3 Attachment 1 to Edwards Aff, # 4 Attachment 2 to Edwards Aff)(CROWDER, ELIZABETH) (Entered: 10/08/2021)
10/08/2021	11	NOTICE of Attorney Appearance by C ALLEN GARRETT, JR on behalf of All Plaintiffs Attorney C ALLEN GARRETT, JR added to party JACORI HODGES(pty:pla), Attorney C ALLEN GARRETT,

		JR added to party COREY HOLBROOKS(pty:pla), Attorney C ALLEN GARRETT, JR added to party JOHNELL MIDDLETON(pty:pla)(GARRETT, C) (Entered: 10/08/2021)
10/08/2021	12	NOTICE of Attorney Appearance by JAMES F BOGAN, III on behalf of All Plaintiffs Attorney JAMES F BOGAN, III added to party JACORI HODGES(pty:pla), Attorney JAMES F BOGAN, III added to party COREY HOLBROOKS(pty:pla), Attorney JAMES F BOGAN, III added to party JOHNELL MIDDLETON(pty:pla)(BOGAN, JAMES) (Entered: 10/08/2021)
10/09/2021	13	MOTION for Preliminary Injunction by JACORI HODGES, COREY HOLBROOKS, JOHNELL MIDDLETON filed by RYAN PRIMERANO. (Attachments: # 1 Memorandum in Support of Motion for Preliminary Injunction, # 2 Exhibit A: Declarations, # 3 Exhibit B: Incident Reports Regarding Deaths at Georgia State Prison, # 4 Exhibit C: Logbook Excerpt, # 5 Exhibit D: Audit Reports Regarding Georgia State Prison, # 6 Exhibit E: Letter from Jeffrey L. Metzner, M.D., to Commissioner Timothy C. Ward, # 7 Exhibit F: Mortality Log, Homicides and Suicides, 2014 to Aug. 2019, # 8 Exhibit G: GDC Management Team Monthly Roll-Up, Aug. 2021, # 9 Exhibit H: Letters to Defendants Regarding Conditions at Georgia State Prison)(PRIMERANO, RYAN) (Entered: 10/09/2021)
10/09/2021	14	MOTION for Leave to File Excess Pages by JACORI HODGES, COREY HOLBROOKS, JOHNELL MIDDLETON filed by RYAN PRIMERANO.(PRIMERANO, RYAN) (Entered: 10/09/2021)
10/09/2021	15	MOTION for Discovery by JACORI HODGES, COREY HOLBROOKS, JOHNELL MIDDLETON filed by RYAN PRIMERANO. (Attachments: # 1 Exhibit A: Proposed Requests for Production, # 2 Exhibit B: Proposed Deposition Notices, # 3 Proposed Order Granting Expedited Discovery)(PRIMERANO, RYAN) (Entered: 10/09/2021)
10/12/2021		Notice of Deficiency (related document(s): 11 Notice of Attorney Appearance, filed by COREY HOLBROOKS, JACORI HODGES, JOHNELL MIDDLETON); Notice to Counsel - C. Allen Garrett, Jr. Your email address in CM/ECF is not current. Please update your email address via PACER.(vs) (Entered: 10/12/2021)
10/12/2021		Notice of Deficiency (related document(s): 12 Notice of Attorney Appearance, filed by COREY HOLBROOKS, JACORI HODGES, JOHNELL MIDDLETON); Notice to Counsel - James F. Bogan, III - Your email address in CM/ECF is not current. Please update your email address via PACER.(vs) (Entered: 10/12/2021)

10/12/2021	16	MOTION to Hold Motion for Preliminary Injunction in Abeyance re 13 MOTION for Preliminary Injunction by JACORI HODGES, COREY HOLBROOKS, JOHNELL MIDDLETON filed by RYAN PRIMERANO.(PRIMERANO, RYAN) (Entered: 10/12/2021)
10/12/2021	17	This is a text only entry; no document issued. ORDER GRANTING 14 Motion for Leave to File Excess Pages. Ordered by CHIEF DISTRICT JUDGE MARC T TREADWELL on 10/12/21 (mbw) (Entered: 10/12/2021)
10/13/2021	18	UNOPPOSED MOTION to Stay Stay Discovery by TREVONZA BOBBITT, DEIDRA EDWARDS, AHMED HOLT, IOANNIS IOANNOU, VIKKI IRWIN, JACK SAULS, JUANITA SHARPE, STAN SHEPARD, CHARLES SPINN, ROBERT TOOLE, TIMOTHY WARD, JOSH WICKER filed by ELIZABETH MCRARY CROWDER. (Attachments: # 1 Proposed Order Order Staying Discovery)(CROWDER, ELIZABETH) (Entered: 10/13/2021)
10/13/2021	19	UNOPPOSED MOTION for Extension of Time to File RESPONSE as to 4 MOTION to Certify Class by TREVONZA BOBBITT, DEIDRA EDWARDS, AHMED HOLT, IOANNIS IOANNOU, VIKKI IRWIN, JACK SAULS, JUANITA SHARPE, STAN SHEPARD, CHARLES SPINN, ROBERT TOOLE, TIMOTHY WARD, JOSH WICKER filed by ELIZABETH MCRARY CROWDER. (Attachments: # 1 Proposed Order Order Extending Time For Response to Motion for Class Certification)(CROWDER, ELIZABETH) (Entered: 10/13/2021)
10/15/2021	20	NOTICE of Attorney Appearance by TAMARA SERWER CALDAS on behalf of All Plaintiffs Attorney TAMARA SERWER CALDAS added to party JACORI HODGES(pty:pla), Attorney TAMARA SERWER CALDAS added to party COREY HOLBROOKS(pty:pla), Attorney TAMARA SERWER CALDAS added to party JOHNNELL MIDDLETON(pty:pla)(CALDAS, TAMARA) (Entered: 10/15/2021)
10/19/2021	21	This is a text only entry; no document issued. ORDER GRANTING 19 Motion for Extension of Time to File Response. The defendants' response to the plaintiffs' motion for class certification is due twenty-one days form the date of the Court's ruling on the defendants' motion to dismiss. Ordered by CHIEF DISTRICT JUDGE MARC T TREADWELL on 10/19/21 (mbw) (Entered: 10/19/2021)

10/19/2021	22	This is a text only entry; no document issued. ORDER GRANTING 18 Motion to Stay Discovery. Any discovery sought by the parties is to be limited to the issue of exhaustion of administrative remedies until the defendants' motion to dismiss is ruled upon. Ordered by CHIEF DISTRICT JUDGE MARC T TREADWELL on 10/19/21 (mbw) (Entered: 10/19/2021)
10/26/2021	23	CONSENT MOTION for Extension of Time to File RESPONSE as to 10 MOTION to Dismiss Complaint re 1 Complaint,, : by JACORI HODGES, COREY HOLBROOKS, JOHNELL MIDDLETON filed by RYAN PRIMERANO.(PRIMERANO, RYAN) (Entered: 10/26/2021)
10/27/2021	24	This is a text only entry; no document issued. ORDER GRANTING 23 Motion for Extension of Time to File Response. The plaintiffs' response is due November 12, 2021. Ordered by CHIEF DISTRICT JUDGE MARC T TREADWELL on 10/27/21 (mbw) (Entered: 10/27/2021)
11/01/2021	25	NOTICE of Attorney Appearance by EMILIA STROMBERG on behalf of All Plaintiffs Attorney EMILIA STROMBERG added to party JACORI HODGES(pty:pla), Attorney EMILIA STROMBERG added to party COREY HOLBROOKS(pty:pla), Attorney EMILIA STROMBERG added to party JOHNELL MIDDLETON(pty:pla)(STROMBERG, EMILIA) (Entered: 11/01/2021)
11/10/2021	26	MOTION to Compel by JACORI HODGES, COREY HOLBROOKS, JOHNELL MIDDLETON filed by RYAN PRIMERANO. (Attachments: # 1 Exhibit A: Plaintiffs' Subpoena to Ga. Dep't of Corr., # 2 Exhibit B: Ga. Dep't of Corr. Objections to Subpoena, # 3 Exhibit C: Email from Ga. Dep't of Corr.)(PRIMERANO, RYAN) (Entered: 11/10/2021)
11/11/2021	27	***Refiled at 28 *** RESPONSE filed by JACORI HODGES, COREY HOLBROOKS, JOHNELL MIDDLETON re 10 MOTION to Dismiss Complaint re 1 Complaint,, : (Attachments: # 1 Exhibit Ex. A - Declaration of J. Hodges, # 2 Exhibit Ex. B - Declaration of J. Middleton, # 3 Exhibit Ex. C - Declaration of C. Holbrooks, # 4 Exhibit Ex. D - GDC Monthly Roll-Ups, # 5 Exhibit Ex. E - Letters to Defendants, # 6 Exhibit Ex. F - Declaration of T.K., # 7 Exhibit Ex. G - Declaration of K.J.)(GANEM, ALISON) Modified on 11/12/2021 to add docket text(vs). (Entered: 11/11/2021)

11/12/2021		Notice of Deficiency (related document(s): 27 Response to Motion, filed by COREY HOLBROOKS, JACORI HODGES, JOHNELL MIDDLETON); The PACER login ID and password used to electronically file a document constitutes the Participants electronic signature for all purposes under the Federal Rules. Document must be re-filed using the user credentials of the name of the attorney in the signature block. See CM/ECF Administrative Procedures, page 7..(vs) (Entered: 11/12/2021)
11/12/2021	28	RESPONSE filed by JACORI HODGES, COREY HOLBROOKS, JOHNELL MIDDLETON re 10 MOTION to Dismiss Complaint re 1 Complaint,, : (Attachments: # 1 Exhibit Ex. A - Declaration of J. Hodges, # 2 Exhibit Ex. B - Declaration of J. Middleton, # 3 Exhibit Ex. C - Declaration of C. Holbrooks, # 4 Exhibit Ex. D - GDC Monthly Roll-Ups, # 5 Exhibit Ex. E - Letters to Defendants, # 6 Exhibit Ex. F - Declaration of T.K., # 7 Exhibit Ex. G - Declaration of K.J.)(GANEM, ALISON) (Entered: 11/12/2021)
11/12/2021	29	NOTICE of Attorney Appearance by STEPHANIE BEDARD on behalf of All Plaintiffs Attorney STEPHANIE BEDARD added to party JACORI HODGES(pty:pla), Attorney STEPHANIE BEDARD added to party COREY HOLBROOKS(pty:pla), Attorney STEPHANIE BEDARD added to party JOHNELL MIDDLETON(pty:pla)(BEDARD, STEPHANIE) (Entered: 11/12/2021)
11/24/2021	30	REPLY to Response filed by TREVONZA BOBBITT, DEIDRA EDWARDS, AHMED HOLT, IOANNIS IOANNOU, VIKKI IRWIN, JACK SAULS, JUANITA SHARPE, STAN SHEPARD, CHARLES SPINN, ROBERT TOOLE, TIMOTHY WARD, JOSH WICKER re 10 MOTION to Dismiss Complaint re 1 Complaint,, : (Attachments: # 1 Exhibit "A" Certified copies of movement histories, # 2 Exhibit "B" Affidavit of Heather M. Howard)(CROWDER, ELIZABETH) (Entered: 11/24/2021)
12/01/2021	31	RESPONSE filed by GEORGIA DEPARTMENT OF CORRECTIONS re 26 MOTION to Compel (PIPER, TINA) (Entered: 12/01/2021)

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