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## PLAINTIFFS

UNITED STATES OF AMERICA

## DEFENDANTS

STATE OF ILLINOIS, DANIEL  
WALKER, Governor, CHARLES  
ROWE, Acting Director,  
Department of Corrections

N

## CAUSE

To obtain permanent injunction against present operation of Illinois  
Correctional Center System under 42 USC Section 2000b(a), 8th & 14th  
amendments to the United States Constitution.

## ATTORNEYS

~~Edward H. Levi~~ Thomas William Smith, Jr.  
~~Attorney General~~ #C-82411  
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P.O. Box 711  
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217/782-1090

Jess H. Queen  
Margie A. Utley - 633-3475  
Stephen A. Whinston  
Department of Justice  
Washington, D. C. 20530

U.S. v. Illinois



PC-IL-0016-9000

Drew S. Day, III  
Asst. Atty. General  
Civil Rights Division  
Lisbon C. Berry, Jr., Attorney  
Public Accommodations and Facilities  
Section  
U.S. Department of Justice  
Washington, D.C. 20530

*Handwritten notes and signatures:*  
Margie A. Utley  
Stephen A. Whinston  
U.S. Department of Justice  
Washington, D.C. 20530

☐ CHECK  
HERE  
IF CASE WAS  
FILED IN  
FORMA

FILING FEES PAID		STATISTICAL CARDS	
DATE	RECEIPT NUMBER	CARD NUMBER	CARD DATE MAILED
		JS-5	1/3/77
		JS-6	

Director Gayle Franzen  
Illinois Dept of Corrections  
201 Armory Bldg.  
Springfield, IL 62707

Werner E. Petterson  
US Dept of Justice  
Community Relations Service  
175 W. Jackson Blvd  
Chicago, IL 60604  
8-353-4391

Copies of 9/4/79 ~~mailed~~  
to above, in addition  
to names in docket.  
mas

DATE	NR.	PROCEEDINGS	
1976			
Dec. 29		Complaint filed.	lvd
Dec. 29		Summons issued; original and three copies attached to a copy of the complaint and U.S.M form; delivered to U.S. Marshal for service.	lvd
Dec. 29		Pretrial conference set for FRIDAY, JUNE 3, 1977 at 9:15 a. m.	lvd
1977			
1/5/77		Summons returned executed by U.S. Marshal, filed. Date of Service on State of IL, c/o Wm.J.Scott, Atty.General 1/3/77. \$3.24	jk
1/5/77		Summons returned executed by U.S. Marshal. Date of Service on Daniel Walker 1/3/77. filed. \$3.24	jk
1/5/77		Summons returned executed by U.S. Marshal. Date of Service on Charles Rowe 1/5/77. filed. \$3.24	jk
1/27/77		Motion for Extension of Time filed by defendants.	sh
2/8/77		Motion for Extension of Time allowed. (Ackerman,J)	sh
2/8/77		Hearing on preliminary injunction set for Thursday, February 10, 1977 at 11:00 a.m.	pa
2/9/77		Motion for Preliminary Injunction With Supporting Memorandum filed by defendants.	sh
2/9/77		Notice filed., for hearing on Preliminary Injunction at 11:00 a.m., on Feb. 10, 1977.	sh
2/10/77		Stipulation filed by Plaintiff and Defendants.	pa
2/10/77		Order entered, filed allowing stipulation by parties and further granting defendants and extension of time to answer or otherwise plead to and including April 13, 1977. (Ackerman, J.) Copy to attorneys.	pa
2/24/77		Motion for Leave to File Amicus Curiae, filed by petitioners.	jk
2/24/77		Motion For Leave To Proceed In Forma Pauperis, filed by petitioners.	jk
3/2/77		Order entered, filed, denying Petitioners' Motion for Leave to File Amicus Curiae and Motion for Leave to Proceed in Forma Pauperis. (Ackerman, J.) copy mailed to Jerald L. Kendrick.	
4/11/77		Order entered, filed, extending preliminary injunction, time to answer and referenced stipulation, to June 3, 1977. (Ackerman,J) copy to attys.	sh
6/3/77		Melbourne Noel, Walsh Swager, Philip Shayne, Henry Petrilli, Charles Ory, Lisbon Berry and Dave Tevelin present in chambers for pretrial conference; general issues discussed; Order entered, filed extending in all particulars the Court's Order of February 10, 1977, establishing an expedited discovery procedure to September 30, 1977 and further tentatively sets a hearing on Defendants' Motion for Preliminary injunction for the week of September 19, 1977 (Ackerman, J.)	

## CIVIL DOCKET CONTINUATION SHEET

FPL-01-3114.78 SON-3511

PLAINTIFF	DEFENDANT	S-CIV-76-0158 DOCKET NO. _____
United States of America	State of Illinois, et al.	PAGE <u>3</u> OF _____ PAGES

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DATE	NR.	PROCEEDINGS
6/29/77		Hearing on Motion for Preliminary Injunction set for Thursday, September 22, 1977 at 9:00 a.m. Notices mailed. pa
9/22/77		Plaintiff's Response To Motion for a Preliminary Injunction, filed. jk
9/22/77		Attorneys Lisbon Berry, Charles Ori and Melbourne Noel, Jr. present in chambers for hearing on Motion for Preliminary Injunction; arguments heard, injunction continued. Status call set for Friday, November 5, 1977 at 2:00 p.m.; bench trial set for Tuesday, Jan. 3, 1978 at 9:30 a.m. on the racial discrimination aspect. (Ackerman, J.) pa
9/22/77		Order, entered, filed. (See Order) (Ackerman, J.) Copies mailed to attorneys. jk
10/17/77		Application For Leave to Take Depositions of Inmates Incarcerated In The Illinois Correctional Center System, filed by plaintiff. jk
10/21/77		Plaintiff's Notice to Take Depositions of Witnesses (See Notice) beginning on October 25, 1977. filed. jk
10/25/77		Order Granting Leave to Take Depositions of Inmates Incarcerated in the Illinois Correctional Center System entered Oct. 24, 1977 filed, (Ackerman, J) copy mailed to attys. sh
11/4/77		Attorneys Lisbon Berry, Charles Ori, Jeff Doane and Melbourne Noel, Jr. present in chambers for status call. Parties by agreement to supply stipulated facts as to Count 1 by December 1, 1977. Anticipated Motions for Summary Judgment to be filed by December 21, 1977. (Ackerman, J.) Docket entry to parties. pa
11/10/77		Court Reporter's Transcript of Deposition of Raymond S. Larsen, taken by plaintiff, on October 25, 1977 at 11:00 a.m., filed. jk
11/10/77		Court Reporter's Transcript of Deposition of Michael Henderson, taken by plaintiff, on October 25, 1977 at 9:00 a.m., filed. jk
11/10/77		Court Reporter's Transcript of Deposition of Warden Michael P. Lane, taken by plaintiff, on October 25, 1977 at 1:00 p.m., filed. jk
11/10/77		Court Reporter's Transcript of Deposition of Jack Austin Reynolds, taken by plaintiff, on October 25, 1977 at 3:00 p.m., filed. jk
11/10/77		Court Reporter's Transcript of Deposition of David O. Fulks, taken by plaintiff, on October 25, 1977 at 4:00 p.m., filed. jk
11/10/77		Court Reporter's Transcript of Deposition of Harold D. Maxey, taken by plaintiff, on October 25, 1977 at 2:00 p.m., filed. jk
11/10/77		Court Reporter's Transcript of Deposition of Dale Kranawetter, taken by plaintiff, on October 25, 1977 at 1:00 p.m., filed. jk

## CIVIL DOCKET CONTINUATION SHEET

FD-101-1.1A.75-50M-3.511

PLAINTIFF		DEFENDANT	DOCKET NO. _____
United States		State of IL	PAGE 4 OF _____ PAGES
DATE	NR.	PROCEEDINGS	
1977			
11/10/77		Court Reporter's Transcript of Deposition of Kenneth L. McGennis, taken by plaintiff, on October 26, 1977 at 12:30 p.m., filed. jk	
11/10/77		Court Reporter's Transcript of Deposition of Richard Betuski, taken by plaintiff, on October 26, 1977 at 3:00 p.m., filed. jk	
11/10/77		Court Reporter's Transcript of Deposition of Sandra Pietsek, taken by plaintiff, on October 26, 1977 at 1:30 p.m., filed. jk	
11/10/77		Court Reporter's Transcript of Deposition of Mr. R.L. James, taken by plaintiff, on October 26, 1977 at 2:00 p.m., filed. jk	
11/10/77		Court Reporter's Transcript of Deposition of Claude Griffith, taken by plaintiff, on October 26, 1977 at 9:00 a.m., filed. jk	
11/10/77		Court Reporter's Transcript of Deposition of Richard Goins, taken by plaintiff, on October 26, 1977 at 10:00 a.m., filed. jk	
11/30/77		Court Reporter's Transcript of Depositions of the following witnesses taken by Plaintiff, on or about October 27, 1977, filed. Dennis J. Wolff, Daniel Scott, Gary Duane Dovers, Martin F. Shiffel, Jimmy McLinton, Marie Hall, Denison R. Herron, James Earl William Thomas C. Wilson, Stanley L. Pierce, Melvin Allan, Ernest Earl Morris, Robert M. Wright, Robert Sutton, James Robert Miller, John Edward Saunders, Phillip R. Costello, Gregory M. Serenka, James Robert Nolan, Terry Pinkowski, William Lee Buhr. jk	
11/30/77		Notice of Filing of Depositions. Filed. jk	
12/1/77		Motion for Extension of Time. Filed by Defts. jk	
1/1/77		Order entered, filed, granting extension of time to and including December 14, 1977 for filing of Defendants' stipulations (Ackerman, J.) Copies mailed to attorneys. jk	
12/22/77		Request for Production of Documents. Filed by Defts. jk	
12/22/77		Bench trial set for January 3, 1978 reset to Wednesday, January 4, 1978 at 9:30 a.m. jk	
12/27/77		Answer. Filed by Defts. jk	
12/28/77		Motion to Dismiss. Filed by Plaintiff. jk	
12/28/77		Answer to Plaintiff's Motion. Filed. jk	
12/29/77		Order entered granting Defendants' Request for Production (1/78) jk	

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## CIVIL DOCKET CONTINUATION SHEET

FD-161-3.14-75-508-3411

PLAINTIFF	DEFENDANT	S-CIV-76-158 DOCKET NO. _____ PAGE <u>5</u> OF _____ PAGES
United States of America	State of Illinois, et al.	

DATE	NR.	PROCEEDINGS
1/3/78		Bench trial set for January 4, 1978 is cancelled. Pretrial conference set for Friday, February 17, 1978 at 1:30 p.m. Notices mailed. <span style="float: right;">pa</span>
1/3/78		Request for Production of Documents, filed by plaintiff. <span style="float: right;">jk</span>
1/3/78		Motion for Continuance, filed by plaintiff. <span style="float: right;">jk</span>
1/3/78		Order, entered, filed, granting plaintiff's motion for continuance. Pretrial hearing set for February 17, 1978 at 1:30 p.m. for Court to hear all outstanding motions and issue a pretrial order to determine issues to be tried and set deadlines for discovery. Until hearing, the February 10 injunction is extended and continues in force. (Ackerman, J.) Copies mailed. <span style="float: right;">jk</span>
1/30/78		Motion to Vacate and to Deny Defendants' Motion for Preliminary Injunction with Supporting Memorandum, filed by plaintiff. <span style="float: right;">jk</span>
1/30/78		Memorandum in Support of Attached Motion to Vacate and Deny Preliminary Injunction, filed. <span style="float: right;">jk</span>
1/30/78		Notice of hearing set for Feb. 17, 1978 at 1:30 p.m., filed. <span style="float: right;">jk</span>
2/2/78		Supplemental Response to Defendants' Discovery Request, filed by Govt. (Box placed in Room 304, in safe.) <span style="float: right;">jk</span>
2/13/78		Defendants' Motion to Compel Production of Documents, filed. <span style="float: right;">jk</span>
2/13/78		Memorandum in Opposition to Plaintiff's Motion to Amend, filed. <span style="float: right;">jk</span>
2/17/78		United States' Request for Admissions, filed. <span style="float: right;">jk</span>
2/17/78		Response to Defendants' Motion to Compel, filed by Govt. <span style="float: right;">jk</span>
2/17/78		Supplemental Memorandum in Support of Motion to Amend, filed by Govt. <span style="float: right;">jk</span>
2/17/78		Attorneys Lisbon Berry, Charles Ori, Melbourne Noel and Philip Weber present in chambers. Plaintiff's Motion to Amend Complaint argued and allowed. Arguments heard on Defendant's Motion to Compel Discovery, motion taken under advisement. Hearing set for Friday, February 24, 1978 at 9:30 a.m. Prior preliminary injunction of February 17, 1978 continued until February 24, 1978. (Ackerman, J.)

(continued)

## CIVIL DOCKET CONTINUATION SHEET

FBI-HAR

PLAINTIFF

UNITED STATES

STATE OF IL. CR. NO.

PAGE 7 OF 8 PAGES

DATE NR.

DATE	NR.		
1978			
7/26/78		Consent Decree entered by Judge Ackerman, J.) Copies to parties. jk	
7/26/78		Order entered, filed, Ordering that Pet. and/or their representatives shall have reasonable access to any and all of the institutions involved in the case for bringing compliance with the consent decree and the implementation of the affirmative action plan. The court shall retain its jurisdiction over the case during this period. (Ackerman, J.) Copies to parties. jk	
8/25/78		Motion to Dismiss filed by Petitioner, filed by Petitioner. jk	
9/1/78		Plaintiff's Motion to Dismiss. jk	
9/7/78		Mailed copy of Petitioner's appeal. lvd	
9/7/78		Affirmative action plan filed, by Petitioner. jk	
9/13/78		Mailed copy of Notice of Appeal. jk	
10/19/78		Order entered and filed from the court of appeals; procedural schedule adopted (in order) lvd.	
11/22/78		Hearing on December 7, 1978 set for Friday, December 7, 1978. pa	
12/7/78		Hearing on Question of Monitoring Commission set for today is cancelled. pa	
12/29/78		Hearing on Question of Monitoring Commission set for Friday, January 5, 1979. pa	
1/5/79		Attorneys for Plaintiff and Timothy J. McCarthy on question of monitoring commission; cause taken under advisement. Further discussion to be held in conjunction with hearing. sh Chicago. (	
1/12/79		Order entered and filed. It is ordered that this appeal from a decision of the U.S. District Court for the Southern District of Illinois, Springfield Division be, and the same is so ordered. lvd Federal Rules of Appellate Procedure.	
1/22/79		Hearing set for January 25, 1979 is continued. Hearing to be reset at later date. (Ackerman, J.) jk	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
UNITED STATES		IL DEPT CORRECTIONS, et al	PAGE 8 OF _____ PAGES
DATE	NR.	PROCEEDINGS	
3/22/79		Hearing on Question on Monitoring Commission set for Tuesday, April 10, 1979 at 4:00 p.m. Notices mailed. pa	
3/28/79		Hearing on Question of Monitoring Commission set for April 10, 1979 is cancelled and reset to Wednesday, April 25, 1979 at 4:00 p.m., due to a conflict in Judge Ackerman's schedule. Notices mailed. pa	
4/9/79		Hearing on Question of Monitoring Commission set for April 25, 1979 reset to Tuesday, April 24, 1979 at 4:00 p.m. Attorney Utley to notify all parties. pa	
4/24/79		Margie Utley, Lisbon Berry, Melbourne Noel and Werner Petterson present in chambers for hearing on question of monitoring commission Discussion of counsel held. Leave granted to State of Illinois to file an Addendum to the Affirmative Action Plan. Status call set for Monday, July 16, 1979 at 4:00 p.m. (Ackerman, J.) pa	
7/17/79		Memorandum Regarding the Affirmative Action Plan, fld. jk	
9/4/79		Order entered, approving Affirmative Action Plan and Addendum, filed. (Ackerman, J.) Copies mailed. mab	
8/26/81		CLOSED.	
3/23/82		Attorney Daniel King's request to withdraw the Affirmative Action Plan and Addendum for copying is ALLOWED. Special messenger to sign receipt in Clerk's Office for materials. (Ackerman, J.)	
<u>1984</u> 5/8/84		Affirmative Action Plan and Addendum returned to Court. kd	
8/30/84		(Pltf.) Smith) MOTION FOR A RULE TO SHOW CAUSE Why Defendants Should Not Be Held In Contempt Of Court. bw	
9/24/84		Rule on Defendant to respond within seven (7) days. entered 9/22/84. (Ackerman, J.) Copy of d/e mailed to parties. bw	
9/25/84		(Pltf. Smith) MOTION OF DEFAULT JUDGMENT Be Entered Against Defendants In Favor Of Plaintiff. bw	
9/25/84		AFFIDAVIT OF THOMAS WILLIAM SMITH. bw	
10/2/84		(Defts.) MOTION IN OPPOSITION To Motion For Rule To Show Cause. bw	
10/9/84		Rule on plaintiff to respond and state its position on the pending matters before the Court within fourteen (14) days. entered 10/5/84. (Ackerman, J.) Copy of d/e mailed to parties. bw	
10/15/84		PLAINTIFF'S OBJECTION To Defendants Opposition. kb	
10/22/84		(Pltf. Smith) MOTION To Certificate Cause As A Class-Action and MOTION To Appointment Of Counsel To Represent Plaintiff. kd	



## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 76-015
UNITED STATES OF AMERICA		STATE OF ILLINOIS,	PAGE 9 OF PAGE
DATE	NR.	PROCEEDINGS	
11/7/84		(Govt.) RESPONSE, On Behalf Of United States, To Plaintiff Smith's Motion For A Rule To Show Cause.	
11/19/84		ORDER, entered 11/19/84, fld. The United States shall have 45 days to investigate this claim and report to this Court. (Moody, J.) Copy of order mailed to parties.	
1985			
1/3/85		(Govt.) REPORT To The Court On Behalf Of Plaintiff United States Of America.	
1/14/85		(Pltf.) MOTION To Dismiss United States Of America As Plaintiff And Instead, Be Joined As A Defendant.	
1/17/85		UNITED STATES' RESPONSE To Thomas William Smith's "Motion" To Join United States As Defendant.	
2/4/85		File #1 mailed to Judge Moody this date.	
2/4/85		File #1 returned to Spfld.	
3/8/85		ORDER, entered 3/5/85, fld. This case is COMPLETED, there is no pending claim. Mr. Smith is not a party and therefore has no standing in the present case. The Motion for a Rule to Show Cause is DENIED. (Moody, J.) Copy of Order mailed to parties.	
1987			
3/3/87		Copy of Letter of Francis Smith mailed to opposing counsel per instructions of Judge Mills.	
1994			
7/19/94		(Deft State of IL) MOTION TO DISMISS WITH PREJUDICE and/or strike motion to hold hearing to enforce consent decree and to find defendants in contempt.	
7/19/94		Deft State of IL Memorandum in support of motion to dismiss or strike motion to hold immediate hearing to enforce consent decree and to find defendants in contempt.	
1995			
9/1/95		ORDER, entered, fld. Defts' Motion To Dismiss With Prejudice and/or Strike Motion To Hold Hearing To Enforce Consent Decree and to Find Defendants In Contempt, GRANTED. (Mills, J.) Copy of Order furnished Assist. Atty. Genl. Rose & Inmate Rudolph Lucien.	