

CERTIFIED CLASS ACTION on 3-30-71

D. C. 758

GC716

DOCKET

Frank R. Parker
George Peach Taylor Herman
233 North Farish St.

TITLE OF CASE

Jackson, Ms. ~~David M. Lip~~
39201 For Plaintiff: 108 1/2 South
Oxford, Miss

Nazareth Gates, et al

Roy S. Haber, Constance

vs

Slaughter, 233 N. Fari

~~Thomas P. Coody, Superintendent of the Mississippi~~

Jackson, Miss. 39201

~~State Penitentiary, et al~~

Hon. Michael Davidson,
Justice, Washington, D.
For Defendant:

substituted by order dated 4-3-72

John Collier, Superintendent of the Mississippi

~~George Rogers~~, Ass. At

State Penitentiary, et al

Jackson, Miss. 39205

J.S. 5

~~James Rogers~~

BASIS OF ACTION: Preliminary and Permanent Injunction

Wm. Allain & Roger C

P.O. Box 220, Jxn.

JURY TRIAL CLAIMED

ON

DATE	PLAINTIFF'S ACCOUNT	RECEIVED	DISBURSED	DATE	DEFENDANT'S ACCOUNT	RECEIVED
2-8-71	R#19173	\$15 00		3-12-73	R#22205	
1-22-72	R#22088 (appeal)	5 00			Notice of Appeal	5 00

NOTARY PUBLIC - STAMP

I hereby certify that the foregoing
is a true copy of the original thereof
now in my office.

9-23-95

Notary
George L. Gillespie, Clerk

ABSTRACT OF COSTS

TO WHOM DUE	AMOUNT

RECEIPTS, REMARKS, ETC.



PC-MS-0001-9001

DATE	FILINGS—PROCEEDINGS	AM. REPOF EMOL RET
2-8-71	Filed complaint - issued summons -mailed to Marshal at Oxford	
	Mailed notice to attorneys showing Judge Keady has been assigned to this case	
2-22-71	Filed Marshal's return on summons and complaint Ex. as follows: 2-10-71 by	
	serving St. Turner Arant at Blaine, Miss.; Thomas D. Cook, parchman, Miss. on	
	2-10-71; On 2-11-71 serving J.D. Demoville at Okolona, Miss.; on 2-12-71	
	served Sebe Dale, Jr. at Columbis, Miss.; on 2-16-71 served Robert D. Robinson	
	at Jackson, Miss.; and Hon. John Bell Williams at Jackson, Miss. on 2-16-71	
	by personally leaving copies on his desk, after he refused service	
3-1-71	Received and entered order extending time to file pleadings or answer till	
	March 19, 1971 order signed 3-1-71 cob 9, pg. 228	
	Mailed notice of order to attorneys of record	
3-3-71	Mailed notice setting TRO on March 10, 1971 at 9 A.M. in Oxford	
3-4-71	Received and entered order signed 3-3-71 allowing the petition for writ of	
	habeas corpus filed by Don Earl Hite to be filed in this case and to be	
	treated as a motion to intervene as a class action pltf. cob 9, pg. 233-234	
	Certified copies of the above order were mailed by certified mail to counsel	
3-4-71	of record, the petitioner and Thomas D. Cook from the Clerk's Office in Oxford	
3-5-71	Filed motion for TRO and for Preliminary Injunction	
	Received and entered order setting hearing on pltf's. motion for TRO signed	
	3-4-71 cob 9, pg. 236-237	
	At Oxford the writ of habeas corpus ad testificandum was issued on Willie Lee	
	Holmes, James Edward Napier, Matthew Winters and handed to Marshal at Oxford on	
	3-4-71	
3-5-71	Mailed notice of order to attorneys of record	
3-9-71	Filed Marshal's return on Writ of Habeas Corpus Tes. Ex. 3-5-71 by serving	
	by serving Thomas D. Cook, Supt. Miss. State Pen. directing Mr. Cook to produce	
	the following named at Oxford on 3-10-71 at 9 A.M.: Willie Lee Holmes, Matthew	
	Winters and James Edward Napier	
3-15-71	Filed motion for designation of a Three-Judge District Court with notice of moti	
3-16-71	Received copy of letter to attorneys stating that a hearing has been set for	
	March 22, 1971 at 9 A.M. in Greenville on all pending motions	
3-17-71	Received and entered order signed 3-17-71 directing the Clerk to file the	
	petition and treat it as a motion to intervene without prepayment of fees	
	cob 9, pg. 254-255	
	Filed Motion to intervene on behalf of Larry Nolan Lucas, et al	
	Mailed by certified mail a certified copy of order and motion to intervene	
	to attorneys of record	
3-19-71	Filed answer of Deft.	

DATE	FILINGS—PROCEEDINGS	A REP EMC RI
4-30-71	Received and entered memorandum order signed 4-30-71 cob 9, pg. 332-335	
	Received and entered order signed 4-30-71 with notice to all black inmates of Miss. State Penitentiary (Parchman) and copy of request for exclusion from lawsuit as to GC716(b)-K	
5-25-71	Filed request for exclusion from law suit by black inmates (Roy Harlin)	
5-26-71	Filed request of the following named for exclusion from lawsuit by black inmate	
	Eline Fortenberry, James Hanner, Jr., Luther Curtis Carl Cartcell, Willie Lee Tom Stinnage, K.C. Riley, Wilbert Davis, Eugene Evans	
5-27-71	Filed request for exclusion from lawsuit by black inmates	
	Percy Harris, Artis W. Jones, James Roberts, Augustor R. Gaines, Russell Joiner, Aldred Radliff, Tommie Graham, Otha Spivey, Robert Sponn, Edalpus Goings, Bish Nash, Jimmie Gatlin, William Smith, Jr., Georgie Pickering, Vernon W. Bundy James M. Shack, Theopalis Menton, James L. Robertson, Jerrie Wayne Watts, S.C. Davis, Bernice Goldman, James Capees, W.W. McLaurin, Dan Belton, Jessie Hil Ira Dell Crumpton, Walter Collins, George H. Moore, Don Lily, Joe Grace, Walter C David Harris, Jimmie Lee Ivey, Floyd Fox, Willie B. Harper, Elige Kron, J.W. Ale William Taylor, Willie Smith, Excel Anderson, Brewer Wiley, Moran West, John De Robert Lee Jones, Richard Fulton, Eugene Magee, Charlie Dalton, Palmer Gibbs, 1/2 Columbus Martin, Lera Christmas, Leonard Bell, Harrison Page, Anthony Green, Joseph Miles, James Fields, Robert E. Deaham, K.C. Patton, James D. Reed, Jr., Jim Little, Robert Gillis, Tommy W. McNaird,	
5-28-71	Filed request for exclusion from lawsuit by black inmates	
	John Gaines, Herman Harris, Ted Ramsey, William Butchee, Jr.	
6/1/71	Filed request for exclusion from lawsuit by black inmates as follow	
	Cliff Wright, David Lonie, Grover L. Wills, Willie Louis Lee, Bobby E Thomas Campbell, Osybea Wheller, Tom Caffey, Jr., M.C. Lee, S. W. Anderson Hopkins, Freddie L. Watson, L. C. Carson, Samuel Smith (u R. L. Smith, Lawson Rio, Jr., Spurge Grayson.	
6/2/71	Filed the following request for exclusion from lawsuit by black inm	
	Roosevelt Carauthers, Bill Gipson, Freddie Alexander, Abraham Barne Stoes, R. B. Williams, Eugene Chatman, Lonnie Smith, David Savage, Lo Jimmie Williams, Mary Hays,, James Talior, Mary E. Flowers, Rev. JO Rials (unsigned)	
6-3-71	Filed request for exclusion from lawsuit by black inmates: Robert Lee Graham	
6-4-71	Filed request for exclusion from lawsuit by black inmates: Henderson Jackson	
	and Willie Shaw, Q. B. Henderson, Willie M. Taylor, Leroy Davis, Allen Edgar Randle, Jerry Earl Banks, Sidney Joseph	
6-7-71	Filed request for exclusion from lawsuit by Black Inmates: Willie Lee Walter	
6-9-71	Filed request for exclusion from lawsuit by black inmates: Cleveland Lee,	
	Joe Jones, Jr.	

DATE	PROCEEDINGS
3-29-71	Received and entered order signed 3-25-71 stating that the motion for a Three Judge Court be held in abeyance for a period of 60 days in order to give court opportunity to frame the issues that are claimed to come within the jurisdiction cob 9, ph. 272
	Mailed notices of order to attorneys of record
X 3-30-71	Received and entered order on class action signed 3-30-71 cob 9, pg. 277-278 Mailed notices of order to attorneys of record
4-5-71	Filed Marshal's return on summons and complaint ex. 3-31-71 by serving H.L. Roach at Parchman
4-6-71	Filed motion for records on behalf of Don Earl Hite
4-9-71	Received and placed in jacket file copy of letter from Law Clerk to Don Earl Hite stating that any record would have to be obtained from the Clerk of Court, who he was sentenced.
4-12-71	Filed motion to supplement record with notice of motion
4-15-71	Filed copy of letter dated 4-13-71 from John Hailman to attys. stating that certain matters will be taken up at the pre-trial conference on 4-16-71 at 11:00 in Aberdeen, Miss.
4-16-71	Received and entered order signed 4-13-71 directing the clerk to file petition on the following named and to send certified copies of order by certified mail to each one cob 9, pg. 301-302
	Filed petition treated as motion to intervene as additional classaction on: Thomas Perry Werneth, Dwight H. Austin, John Henry Morgan, and Lonnie Keith Mailed notices of order to attorneys of record
4-23-71	Received and entered order of severance signed 4-22-71 cob 9, pg. 314-315 Mailed notices of order to attorneys of record
4/28/71	Filed motion to go upon land, inspect premises and photograph Filed transcript (COOK) of conference 4/22/71 in Aberdeen
4-30-71	Received and entered memorandum order signed 4-30-71 cob 9, pg. 332-335
	Received and entered order signed 4-30-71 with notice to all inmates of Miss. State Penitentiary (Parchman) and copy of request for exclusion from lawsuit to GC716(a)-K cob 9, ph. 336-339
	Received and entered order signed 4-30-71 with notice to all black inmates of Miss. State Penitentiary (Parchman) and copy of request for exclusion from lawsuit as to GC716(b)-K cob 9, ph. 340-343
5-24-71	Filed request for exclusion from lawsuit by M.L. Holifield, Jr.
	" George Carroll
	" Robert S. Leigh, Jr.
5-24-71	Filed plaintiffs first interrogatories to defendants
5-25-71	Filed request for exclusion from law suit by all inmates from the following: Jerry Hilters, Lee C. Smith, John D. Collier, Charles Parker, Antom P. Guere, Roy Marlin, Gary A. Watson, John T. Fargason, Jr., Ruth H. Crosby, Jessie Elizabeth Jefcoat, Mae Bell Dye Bright, Evena Graham, Clyde James Gsicer, J. and Johnny W. Jones
5-26-71	Filed request by the following named for exclusion from lawsuit by all inmates: Tony Sexter, Henry L. Wells, Steve Pearce, Jackie Turner, Wendell Farmer, Edmond Eugene Rogers, Perry Thomas Gaines, Jr., Thomas A. West, Charles S. Fogas, George Pratt, Tommy E. Hudspeth, David Wright, Johnny T. Martin, Oliver Hostetler, Robert H. Chandler, Lee Hardin, Raymond Palmer, Chester Moore, Daniel B. Yed, William A. Taylor, David L. Henney, Charles C. Chafin, Fancher Howard, Willie Ecord, Elbert Hutchins, Roy Jones, Everette Waters, Rickey Waldrop, James Hanks, Eddie W. Turner, Luther Curtis Carl Canter, III, Willie Lee Foats, Billy F. Moore, Tom Stimage, K.C. Riley, Wilbert Davis, Eugene Evans (one request was sent in by Billy Shoemaker stating that he did not wish for his name to be on either list for or against, as some of it is true and some false, he request to remain natural)

DATE	PROCEEDINGS
5-27-71	<p>Filed request for the following named to be excluded from lawsuit by all inmates:</p> <p>Percy Harris, O.A. Orman, Curtis Moore, James Roberts, Milton Leroy Davis, John Thomas, Smith, Saul McDonald, Ned Patrick, Sr., Henry Lewis, John Willie Smith, John B. Stevson, James Roberson, Homer Lee Smith, Frank T. Wilson, Alfred Radliff, John Horn, Tommie Graham, Bernice Goldman, James Capees, W.W. McLaurin, Ira Dell Crumpton, Jimmie Hill, A.T. Caples, Robert Earl Allen, Myers Reed, Jerrie Wayne W James L. Robertson, Theopalis Menton, Tommie Lee Murry, Vernon W. Bundy, Jr., William Smith, Jr., Charles Roy L. Dorsey, Tommy W. McNowel, K.C. Patton, Leroy Christmas, Charlie Dalton, Cortee Neal, Robert Polk, Paul Guilty, Leroy Mat Paul (or Bull) Frost, Earnest McDonald, Howard Parrott, Willie Hollins, John Der George Silos, Sr., Moran West, Excel Anderson, Willie Smith, James L. Hubbard, Norris Turner, Virgie Lee Noel, Bell Pelman, H.A. McMillian, George H. Heflin, Jr Cliff Wright, Henry Thompson, Charles Evans, Clarence Miller, James L. Mitchell, Sherman Hays, Jr., Walter Griffin, Joe Grace Howard Cooke, Don Lily, XXXXXXXXXX</p>
5-28-71	<p>Filed request for the following named to be excluded from lawsuit:</p> <p>William P. Habig, Marion L. Upchurch, Ted Ramsey, William Butchee, Jr., Arthur E.</p>
6/1/71	<p>Filed request for exclusion from lawsuit by all inmates as follows:</p> <p>Samuel Boyd, James A. Paulus, Ebie Fortenberry, David W. Nichols, Jr. Burkes, Billy Carr, Donald L. Hughes, Philip O. Bennett, Bill Loftis, I Evan, James H. Yates, David Lonie, Grover C. Wells, R. W. Casten, El James Ladd, D.R. Duke, Bobby Richardson, E. L. Alderman, Bill R. Corbin May, Ceal Sissum, Eugene Wolf, James Boykin, Eugene Roberts, Lester Ray I J. Clark, Leonard McFair, Donald E. Horton, Floyd Williams, Laurence Moblin A. Page, Jr., Bob McLemore, David Masie, Clinton McDonald, Richard James Pruitt, Nickie Ray Dickins, Buddy Brewer, Roger Dotson, Jimmie Sar Bobby G. Crocker, Larry J. LeFan, Garland Perkins, Selby Dixon, Lonnie Guy S. Waldrop, Jerry Thrasher, Hughie L. Thornhill, Bob Ray, Denson Da James M. Reynolds, Michael A. Irving, Joseph E. Smith, Roy Wages, Jr., Billy Brazel, Edgar R. Cloy, Curtis Roy Batson, Charles Rayner, Johnny Jimmy Dale Hartness, Tommy Willis Smith, Bobby Dickson, Robert Lee St Willard McWilliams, J. T. Lang, James Roy Miller, Charles Stewart, NO Jack Hughes, Shirl Jones, Anderson Hopkins, Sylvester Craft, Jr., C Miller, Joe Shields, Jr., Phil H. Likens, Freddie L. Watson, Robert L. Clyde L. Brown, L. C. Carson, R. L. Smith, Samuel Smith, Richard J. Fro Daniel A. Edwards, Jerek Capeland, Danny Stinson, Travis Butles, James Ballard, Billy Smith, Lawson Rice, Jr., Nolan Spiers, Thomas Brooks, Purvis Lee, Roy Clay, Thomas Campbell, Osybea Wheeler, Tom Caffes, J Lee, J. D. Gilmer, and Roy Clay</p>
6/1/71	<p>Filed motion to Quash any Further Mention of my Name by J. D. GILMER</p>
6/2/71	<p>Filed motion to Quash any Further ^{Mention} of my Name by ROY CLAY</p>
6/2/71	<p>Filed motion to Quash any further xxxxxx mention of my name by MONROE</p>
6/2/71	<p>Filed the following request for exclusion from lawsuit by all inmates: Monroe Yates, Willie E. Wrencher, Freddie Lee Alexander, Cheslev Wh Annie M. Clark, Ernest Stoes, R. B. Williams, Louis Charles Young, Rogers, David Saulsberry, Mary Hays, Hallie W. Jefferson, Robert Rar Eileen Chandler, Rev. Joe Louis Rials (unsigned),</p>
6-3-71	<p>Filed request for exclusion from lawsuit by all inmates: Thomas L. Galle, Robert</p>
6-3-71	<p>Received and entered order signed 6-3-71 allowing the motion for leave to proceed forma pauperis and treating the petition filed by William Boyd Young as a motion proceed cob 9, pg. 400-401</p>
	<p>Filed petition by Wm. Boyd Young being treated as a motion to intervene</p>
	<p>As directed in order certified copies of petition and order was sent to attys. an</p>

CIVIL DOCKET GC716-B

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DATE	FILINGS—PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED EMOLUMENT RETURN
		PLAINTIFF	DEFENDANT	
6-14-71	Filed request for exclusion from lawsuit by black inmates: Claudies Shinall, James H. Ransom, Profit Gould, Ed Lewis, Bobby Rounds, David F. Baylor, Lee Oscar Smith, Lewis, Field, Freddi Lee Hardley, Horace Carter, Tommy Lee Lord, Nathaniel Elvery, Eddie Dotson, Luke Euport, Robert Spear, Charles Houston, Otha B. Thomas, Earl Lee Mett, Sander Lee Hall, Booker T. Thomas, Linard (?) Jones, Hopping, Covington, Manuel Davis, Easkline Ford, Michael R. Jones, Dennis Pratt			
6-16-71	Filed request for exclusion from lawsuit by black inmates: Daisy Lee Smith			
6-18-71	Filed request for exclusion from lawsuit by black inmates: Mary Smith, Ruthis Mae Jackson, Georgia M. Frazier, Wisteria M. Signal, Lucy Mae Brown			
6/22/71	Filed request for exclusion from lawsuit by black inmates: Brenda Kay Gamble, Ludie Brown, Annie Reathe Coburn, Lee Ida Wash, Ella Scott, Irene Martin, James Ella Foster, Flaye Tylson, Mary Frances Thomas, Addie Mae Cook			
6-23-71	Filed request for exclusion from lawsuit by Black Inmates: Marie Hollinds			
6-24-71	Filed request for exclusion from lawsuit by Black Inmates: Walter D. Shields and James Miller			
6-25-71	Filed request for exclusion from lawsuit by black inmates: Joe Louis Manning			
6-28-71	Filed request for exclusion from lawsuit by black inmates: Vinet Brown (unsigned attached envelope)			
6-30-71	Filed request for exclusion from lawsuit by black inmates: Willie Scott, Eddie Lee, Joe Louis Paige, Willie Pames Stewart, Willie C. Kitchen, Willie Foreman, Anthony Hogue, Jr., Johnny Tillman, Willie McCoy, George Scales, Walter James Lee, Eugene A. Cockrell, Leonard Lack, John H. Payne, Joseph McNa F.J. Clark, Henry Washington, Annie L. Depriest, (this was attached to GC716(a)) Willie Anthony, John W. Bardwill			
7-1-71	Filed request for exclusion from lawsuit by black inmates: Gus Hampton, Jr.			
7-13-71	Filed request for exclusion from lawsuit by black inmate: John Woodall			
7-22-71	Filed request for exclusion from lawsuit by black inmate: Eddie Williams			
7-23-71	Filed " " " " Arron Winters, Jr.			
11-12-71	Filed request for exclusion from lawsuit by black inmates: Tom H. Jones			

DATE	PROCEEDINGS
-4-71	Filed request for exclusion from lawsuit by all inmates: Henderson Jackson, Willie Shaw and Robert A. Welch, Michael J. Coats(?), Q.B. Henderson, Willie M. Taylor, Leroy Davis, Jimmy Dale Burnham, Russell C. Roy, Clayton Reed, Edgar Randle, James P. Breland, Sidney Joseph, Kenneth Rowest (?).
6/4/71	Entered order signed by Judge Keady 6/3/71 sustaining motion to quash further mention of name COB 9, p. 408
	Mailed notice of entry of order to counsel
6-7-71	Filed request for exclusion from lawsuit by all inmates: William Shirley, Jess Holloway, James A. Phillips, Milton J. McClendon, Jr., Henry Henderson
6-8-71	Filed request for exclusion from lawsuit by all inmates: Ervin King, George James Guinn
6-9-71	Filed request for exclusion from lawsuit by all inmates: Eddie L. Jones, Cleveland Lee, Joe Jones, Jr.
6-9-71	Received copy of letter to Roy Haber from John Hailman concerning views regarding the three-judge issues
6/14/71	Filed Request for Exclusion From Lawsuit By All Inmates as follows: Eddie Treloar, David Abt, Roland T. Ezelle, III, Larry N. Lucas, Richard Ferguson, Joe S. Littlepage, Dennis Pratt, James H. Ronsons, Pro Ed Lewis, Bobby Rounds, David Baylor, Henry Wilson Strickland, G. Jim Blackwell, J. W. Johnson, James R. Gregory, Lee Oscar Smith, Fields, Vernon Murphree, Jr., Narel Lee Dash (?), Thomas Causey Thomas A. Tarrants, III, Albert Lepold, Gerald H. Irving, Jr., P. Gerfates, Burl Thomas Rouse, Claudies Shinall, Willie Capler, Freeman, John M. Bond, Thomas Bowers, James H. Hipps, Jr., Arnon L. Dill, Henry F. Harper, Jr., Ralph Lambert, Billy Cruse, Joseph Leak, John S. Ryan, Jr., Freddie Lee Hardley, Hortcer Carter, Tom Lord, Nathaniel Elvery, Eddie Dotson, Luke Evans, Robert Spears, Ray Layton, Charles D. Houston, Otha B. Thomas, Earl Lee Mitts, Lee Hall, Booker T. Thomas, Lenwood Jones, Hopkins Arrington, Bill Cook, (?), Robert Beavers, Manuel Davis, Easkline Ford and Michael
6-16-71	Filed request for exclusion from lawsuit by all inmates : Paul R. McKinney, Daisy Lee Smith
6-18-71	Filed request for exclusion from lawsuit by all inmates: Georgia M. Frazier, Ruthie Mae Jackson, Wisteria M. Signal, Lucy Mae Brown, Frank Loper
6-21-71	Filed request for exclusion from lawsuit by all inmates: King W. Gilliam, Roy Cathon, and Horace E. Thompson
6-21-71	Received copy of letter dated 6-18-71 setting pretrial conference in Greenville on August 24, 1971 at 3 P.M.
6/22/71	Filed request for exclusion from lawsuit by all inmates as follows: Hershel E Walker, Cecil Rogers, Brenda Kay Gamble, Bernice Cole Bennie Lee Donaldson, Annie Reathe Coburn, Ella Scott, James El 1 (unsigned), Flave Tyson, Mary Frances Thomas, Addie Mae Cook
6-23-71	Filed request for exclusion from lawsuit by all inmates: Marie Hollinds
6-23-71	Filed request for exclusion from lawsuit by all inmates: Vinet Brown
6-29-71	Filed request for exclusion from lawsuit by all inmates: James H. Palmer
-30-71	Filed request for exclusion from lawsuit by all inmates: John W. Bardwell, Bu Pruitt, Willie Anthony (was not signed but attached to GC716-B) Annie L. Dep Gloria Jean Armstrong, (signed twice) J.C. Donahue, John H. Payne, Joseph Mc F/J. Clark, Henry Washington, Eugene A. Cockrell, Henry Doss, Melvin Scott, Ed Willie Panes Stewart, Willie C. Kitchen, Willie Foreman, Anthony Hogue, Jr., Johnny Tillman, Willie McCoy, George Scales, Johnnie Robinson
7-1-71	Filed request for exclusion from lawsuit by all inmates: Gus Hampton, Jr.
8/24/71	Entered order signed by Judge Keady compelling answer to interrogatory. Said Mailed notice to counsel of entry COB 10, pp. 7

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DATE	PROCEEDINGS
7-15-71	Filed motion to compel answers to pltfs. first interrogatories to defts. and motion for attorneys fees
	Filed notice of motion
7-16-71	Filed motion for temporary restraining order
7-22-71	Filed request for exclusion from lawsuit by all inmates: Eddie Williams
7-23-71	Filed " " " " Arron Winters, Jr.
7-27-71	Filed Letter from Law Clerk to counsel setting Motion Day for 8-23-71 in Greenville.
7-30-71	Filed Pltfs' Request to Photograph & Inspect Premises.
7-29-71	Entered Order denying preliminary injunction, signed by Judge Smith on 7-27-71, in COB 10, page 8(a) Notice of entry mailed.
7-29-71	Placed Courtroom sheets in jacket file. and Exhibit sheet.
8-9-71	Filed pltfs. supplemental motion to compel answers to pltfs. first interrogatories to defts. with notice of motion
8-6-71	Filed letter cancelling hearing set on 8-24-71 and setting the hearing for 8-23-71 at 2 P.M. in Greenville
8-13-71	Received copy of letter to Judge Keady from Roy Haber concerning case and changes to be made in Penitentiary
	Received copy of letter to attorneys from Law Clerk concerning conference to be held on August 23
8-19-71	Filed request for exclusion from lawsuit by all inmates: Dwight H. Austin
8-20-71	Filed motion to intervene by USA
8-23-71	Filed petition for writ of habeas corpus on Kenneth Ray Simmons
8-23-71	Received and entered order signed 8-23-71 granting motion of USA to intervene cob copy of order handed to all attorneys - no notice sent
	Filed application for an order to take depositions
	Received and entered order signed 8-23-71 allowing the pltf.-intervenor leave to take depositions cob 10, pg. 66
	Copy of order given to all attorneys - no notice sent
8/24/71	Filed Certificate of Thomas D. Cook respecting MSU
	Filed Certificate of James E. Upchurch, Dietician
	Filed Affidavit of Certain Inmates (Titled "Statement")
8-30-71	Filed pltfs. second interrogatories to defendants
9-2-71	Filed statement of cruel and inhuman treatment by Alton Wood
9-13-71	Received memorandum of law of the U.S. (mailed to Judge Keady - Aberdeen)
9-17-71	Filed notice of taking depositions at Oxford on 9-16-71 on the following named:
	Thomas D. Cook, Jack Byers, B.C. Ruth and Sgt. Danny Thomas
9-21-71	Filed Marshal's return on service of deposition spa. to produce documents Es. on 9-20-71 by serving B.C. Ruth, Sgt. Danny Thomas, Thomas D. Cook, & Jack Byers
10-7-71	Filed writ of habeas corpus for medical treatment on behalf of Johnny Wayne West
11-10-71	Filed motion for order to confer with inmates Tom H. Jones and J.D. Gilmore with notice of motion
11-17-71	Filed petition for writ of habeas corpus on behalf of Billy Joe Albritton
11-22-71	Filed petition for writ of habeas corpus on behalf of Bobby J. Fabian
11-26-71	Filed petition for writ of habeas corpus on Bobby Joe Fabian with pauper affidavit
12-7-71	Received and entered order signed 12-6-71 allowing the petitioner Bobby J. Fabian to file his petition for writ of habeas corpus (petition was filed on 11-22-71) cob 10, pg. 298
12/8/71	Received letter dated 12/7/71 from Mary Guvton to counsel setting evidentiary hearing on January 25, 1972 at 9 AM
	Mailed notice of evidentiary hearing in Greenville, Miss. at 9 AM on January 25, 1972, to all counsel of record
12-10-71	Filed petition for writ of habeas corpus on Issac Reno Gatewood
12-14-71	Filed order by courtroom deputy clerk dated 12-13-71 setting pretrial conference will be on Dec. 21, 1971 at 10 A.M. in Greenville - case is calendared for full evidentiary hearing on May 15, 1972 at 9 A.M.

CIVIL DOCKET

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DATE	FILINGS—PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED EMOLUMENT RETURN
		PLAINTIFF	DEFENDANT	
	GC716(a)-K			
12-16-71	Filed motion for order to conduct psychological examinations on Thomas D. Cook with notice of motion			
12/28/71	Entered order directing Clerk to file petition of John Henry Morgan & Gerald Joseph Novacek as a motion to intervene signed by Judge Keady 12/28/71 COB 10, p.			
	Filed Petition as Motion to Intervene of John Henry Morgan and Gerald Joseph Novacek			
	Mailed notice of entry of order to counsel			
1/14/72	Mailed notice of hearing in Greenville 1/25/72 at 9:00 A.M.			
1-14-72	Filed motion to conduct medical examination to enter premises with notice of motion			
1-14-72	Filed petition for issuance of writ of habeas corpus on behalf of Bobby Joe Fabian			
	Filed petition for issuance of writ of habeas corpus on behalf of James Edward Napier			
	Filed petition for issuance of the writ of habeas corpus on behalf of James Edward Napier and Bobby Joe Fabian			
	Received and entered order signed 1-14-72 allowing the petitioner Talmadge O'Ferrall Rogers as a motion to intervene cob 10, pg. 351			
	Filed petition of Talmadge O'Ferrall Rogers as a motion to intervene			
	Filed notice of order and mailed to all concerned			
1-17-72	Filed petition for writ of habeas corpus (cruel and inhuman treatment) as to Gerald Joseph Novacek			
1-24-72	Filed petition for writ of habeas corpus on behalf of Bobby Joe Fabian and Richard McCrary			
1-31-72	Received copy of letter to Roy Haber from Judge Keady dated 1-31-72 stating that his letter will be used as a voluntary withdrawal of his motion to order psychological examinations of certain penitentiary employees			
2/1/72	Filed Marshal's return on deposition subpoena on Wm. Berel Hopkins			
	" " " " " " " Edward E. Story			
	" " " " " " " Willis Edward Casey			
	" " " " " " " Edward N. Breland			
	" " " " " " " Kenneth Bagwell			
	" " " " " " " C. E. Breazeale			
	all served by Wm. H. Cook on January 28, 1972			
2-2-72	Received and entered order signed 2-2-72 allowing the petition of Curtis L. Jennings to be filed as a motion to intervene cob 10, pg. 395			
	Filed petition for writ of habeas corpus on behalf of Curtis L. Jennings			
	Received and entered order signed 2-2-72 allowing the petition for William Boyd Young to be filed as a motion to intervene cob 10, pg. 396			
	Filed petition for writ of habeas corpus			
	Mailed notice of order to attorneys and petitioners			

Proceedings include all events.

4:71cv6 Gates, et al v. Cook, et al

1983

LEAD

- 5/14/96 115 JUDGMENT OF USCA (certified copy) dismissing the appeal pursuant to motion of appellant, Rule 42, FRAP, and Rule 42.1 of this court. (signed by the Clerk, USCA, on 5/9/96 Re: [107-1] appeal by Joseph Wright (fcc) [Entry date 05/15/96] [4:71cv6]
- 5/14/96 -- Record on Appeal returned from U.S. Court of Appeals: [107-1] appeal (fcc) [Entry date 05/15/96] [4:71cv6]
- 5/29/96 -- Duplicate letters with exhibits attached dated 5/28/96, from inmates at MDOC concerning conditions of confinement. (referred to Chief Judge Senter) re: Frank Jackson #30892, Christopher Gates #59224, Jessie Leflore #A34129, Leslie Wright #83067, Andre' Burt #82405, Frank Coleman #22802, Kensey Jones #87613, Cyrus Davis #59903, Keno J. Harris #83016, Charles Smith #83359, Terrence Gaines #04324, (fcc) [4:71cv6]
- 6/3/96 -- Duplicate letters dtd 5/28/96, from inmates at MDOC concerning conditions of confinement, referred to Chief Judge Senter. re: Shanta Jones #81880, Keith A. Green #K37206, Jerry Long #81871, Darryl Collins #25669, Ronny Nunnally A97276, Antonio Newson #40633, Eddie Hartfield #20232, George R. Anthony #A35977, John Cooper #82506, Marcus Martinez #77731, Floyd Riley #38753, Stanley Abrams, #A59496; Jeffery Rogers #39945, Olester Towner #C36073, Larry Jackson #36762, Alexander Bailey #13911, David Hester #43098 (all assigned to Unit 23, Parchman, MS 38738) (fcc) [4:71cv6]
- 7/1/96 117 JUDGMENT OF USCA (certified copy) dismissing appeal under Local Rule 42.3, for want of prosecution for failure to file brief w/i the time fixed by the rules. (signed by Clerk, USCA/5th Cir. on 6/28/96 Re: [100-1] appeal by Kenneth R. Fuller (fcc) [Entry date 07/02/96] [4:71cv6]
- 7/1/96 -- Record on Appeal returned from U.S. Court of Appeals: [100-1] appeal of Kenneth R. Fuller (fcc) [Entry date 07/02/96] [4:71cv6]
- 7/18/96 118 MOTION by Ronnie Smith to Dismiss Voluntarily re: PSP-4 (fcc) [4:71cv6]
- 7/19/96 119 MOTION by Arthur Nickens to Intervene in this case for the protection of their interests by All Inmate Writ Writers for Units 29, 30 and 32 (fcc) [Entry date 07/22/96] [4:71cv6]
- 7/23/96 -- Letter of inquiry dtd 7/16/96, from Lee Mason for information as to what case he has pending referred to Pro Se Clerk re: Notice to Prisoners Filing Complaints (fcc) [4:71cv6]

Proceedings include all events.

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- 7/23/96 120 MOTION by David Clay to Dismiss Voluntarily without prejudice (PSP-4 signed 7/17/96) (fcc) [4:71cv6]
- 7/24/96 121 ORDER granting [118-1] motion to Dismiss Voluntarily without prejudice re: PSP-4 (signed by Magistrate Judge Eugene M. Bogen on 7/22/96) Date of Entry: 7/24/96 (fcc) [4:71cv6]
- 7/26/96 122 ORDER granting [120-1] motion to Dismiss Voluntarily without prejudice (PSP-4 signed 7/17/96) (signed by Magistrate Judge Jerry A. Davis on 7/24/96) Date of Entry: 7/26/96 (fcc) [4:71cv6]
- 7/30/96 123 ORDER APPROVING HARRISON COUNTY FOR THE HOUSING OF STATE PRISONERS (signed by Chief Judge L. T. Senter Jr. on 7/30/96) Date of Entry: 7/31/96 (fcc) [Entry date 07/31/96] [4:71cv6]
- 9/13/96 124 PLAINTIFFS' MOTION by and through class counsel for order directing defendants to maintain 'status quo' in existing, court-ordered, law-library/writ-writer system of access to courts unless/until prior, court-ordered approval is obtained (fcc) [Edit date 09/13/96] [4:71cv6]
- 9/16/96 125 NOTICE/MOTION of plaintiffs by and through class counsel for Order directing defendants to Show Cause why they should not be held in contempt of the AGREED ORDER of 09/23/94 (fcc) [4:71cv6]
- 9/20/96 126 ORDER on joint ore tenus motion of the parties, (1) declaring final and complete awards, all interim awards made to date since this court's prior Order filed 6/28/95, and pursuant to the prior fees Order filed 4/17/87, as paid, for the month preceeding each such payment, up to and including the first monthly payment due under said Paragraph 1 after the date of this order; (2) directing that dfts shall have no further obligation or duty pur. to Para. 1 or 2 of said prior 4/17/87, Order to pay any fees for the priod to day beyond that already paid, and plas' Counsel, likewise, shall have no obligation or duty pur. to Para. 2 of the Order, supra, to file any motion, application, etc. with respect to Para. 1 payments now declared final and complete; (3) directing that dfts shall continue to pay plas' attorney Welch an award of fees on/before the first day of each succeeding month after the date of this order in the amount of \$4,584.00, etc. (signed by Chief Judge L. T. Senter Jr. on 9/9/96) Date of Entry: 9/20/96 (fcc) [4:71cv6]
- 11/27/96 127 ORDER, Approving Scott County For the Housing of State Prisoners for a period of one year from the date of this order (signed by Chief Judge L. T. Senter Jr. on 11/26/96) COB # 78 pg. 204-208 Date of Entry: 11/27/96 (jta) [4:71cv6]

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- 1/2/97 -- ACKNOWLEDGEMENT OF RECEIPT by Otis Fairley to [127-1] order Approving Scott County For the Housing of State Prisoners for a period of one year from the date of this order (fcc) [Entry date 01/03/97] [4:71cv6]
- 1/15/97 128 OBJECTION of Plaintiffs' Counsel to Final Approval of Harrison County for the Housing of State Inmates Re: [123-1] order (fcc) [4:71cv6]
- 2/21/97 129 MOTION by Kirk Fordice, et al for New Inmate Access to the Court Program (fcc) [Edit date 03/05/97] [4:71cv6]
- 3/5/97 130 MOTION by Plaintiffs to Hold in Abeyance [129-1] motion by Defendants for New Inmate Access to the Court Program (fcc) [Edit date 03/05/97] [4:71cv6]
- 3/5/97 131 CORRECTED SUBSTITUTE MOTION by Plaintiffs to Hold in Abeyance [129-1] Defendants' motion for New Inmate Access to the Court Program (fcc) [Edit date 03/05/97] [4:71cv6]
- 3/20/97 132 NOTICE of Disapproval of Harrison County for the Housing of State Inmates by Ronald Reid Welch, attorney for plaintiffs (fcc) [4:71cv6]
- 4/7/97 133 AGREED LOCAL JAILS ORDER OF 1997 on ore tenus motion of the parties to update the Order regarding use of local jails for incarceration of State Prisoners filed 11/6/81, and Order filed 9/20/96 so as to reflect changed circumstances of the present. (signed by Chief Judge L. T. Senter Jr. on 4/04/97) Date of Entry: 4/07/97 (fcc) [4:71cv6]
- 4/23/97 134 DEFENDANTS' RESPONSE to [131-1] motion to Hold in Abeyance [129-1] Defendants' motion for New Inmate Access to the Court Program (fcc) [4:71cv6]
- 5/2/97 135 AGREED ORDER approving Hinds County Penal Farm for the Housing of State Prisoners (signed by Chief Judge L. T. Senter Jr. on 5/01/97) COB # 79 pg. 206-212 Date of Entry: 5/02/97 (fcc) [4:71cv6]
- 5/2/97 136 AGREED ORDER Approving New Clay County Jail for the Housing of State Prisoners (signed by Chief Judge L. T. Senter Jr. on 5/01/97) COB # 79 pg. 213-218 Date of Entry: 5/02/97 (fcc) [4:71cv6]
- 5/2/97 137 AGREED ORDER Approving New Calhoun County Jail for the Housing of State Prisoners. (signed by Chief Judge L. T. Senter Jr. on 5/01/97) COB # 79 pg. 219-224 Date of Entry: 5/02/97 (fcc) [4:71cv6]

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5/5/97 -- Motion hearing re: [129-1] motion for New Inmate Access to the Court Program set at 1:30 5/22/97 Location: Greenville before Chief Judge L. T. Senter Jr. (fcc) [4:71cv6]

5/14/97 -- RENOTICE of Hearing:, Motion Hearing set for 10:00 5/22/97 for [129-1] motion for New Inmate Access to the Court Program Location: Greenville before Chief Judge L. T. Senter Jr. (fcc) [4:71cv6]

5/14/97 138 PLAINTIFFS' OBJECTIONS Re: [134-1] motion response (fcc) [4:71cv6]

5/15/97 139 ORDER to proceed with the motion hearing set for 10:00 a.m. on 5/22/97, Greenville, directing the clerk of the court to issue WHCAT to deliver Phillip Stokes, Arthur Wildee, Jarvious Cotton, Charlie Daniels, and Daries Mitchell for the hearing and return to MDOC. (signed by Chief Judge L. T. Senter Jr. on 5/14/97) Date of Entry: 5/15/97 (fcc) [4:71cv6]

5/15/97 -- WRIT of HCAT issued 5/14/97 to produce inmates Phillip Stokes, Arthur Wildee, Jarvious Cotton, Charlie Daniels, and Daries Mitchell for motion hearing set for 5/22/97, G'ville. (fcc) [4:71cv6]

5/23/97 140 CIVIL MINUTES for: Hearing on Motion of Dfts for New Inmate Access to the Court; Court Reporter: James A. Moody; Court held hearing on motion of dfts for new inmate access to the court. Oral motions of plas to dismiss motion for new inmate access and oral motion of plas to make more certain. ALL MOTIONS WERE TAKEN UNDER ADVISEMENT. COURT ORALLY ORDERED that pleadings received by inmates for filing in this case are not to be filed but kept with the file. (fcc) [4:71cv6]

5/23/97 -- Motion hearing held re: [129-1] motion for New Inmate Access to the Court Program (fcc) [4:71cv6]

5/23/97 -- Pursuant to Court's oral order during Motion hearing of 5/22/97, the pleadings received by inmates for filing in this cause are not to be filed but retaining with the file under separate cover. (Documents placed in an accordian file, marked accordingly) re: Doc#140 (fcc) [4:71cv6]

5/23/97 141 Exhibit and Witness list of plas and dfts in Motion Hearing held 5/22/97 (Exhibits placed in a brown envelope with the file and marked accordingly) (fcc) [4:71cv6]

6/9/97 142 POST HEARING RESPONSE AND AUTHORITIES by Plaintiffs' Counsel in opposition to [129-1] motion for New Inmate Access to the Court Program (fcc) [4:71cv6]

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- 6/17/97 143 DEFENDANTS' REPLY to Plaintiffs' Post-Hearing Response and Authorities in Opposition to [129-1] motion for New Inmate Access to the Court Program (fcc) [4:71cv6]
- 7/23/97 144 MOTION by Arthur Nickens and Curtis Antonio Way (on behalf of Class Members') for further relief or for Intervention or alternative, for Writ of Mandamus for Enforcement of Decree by Arthur Nickens and Curtis Antonio Way (fcc) [Edit date 08/04/97] [4:71cv6]
- 8/4/97 145 ORDER denying [144-1] motion for further relief or for Intervention or alternative, for Writ of Mandamus for Enforcement of Decree by Arthur Nickens and Curtis Antonio Way (signed by Chief Judge L. T. Senter Jr. on 8/01/97) COB # 80 pg. 96-98 Date of Entry: 8/04/97 (fcc) [4:71cv6]
- 8/4/97 146 AGREED ORDER on joint ore tenus motion of dfts and plas, approving New Madison County Jail for the Housing of State Prisoners. (signed by Chief Judge L. T. Senter Jr. on 8/01/97) COB # 80 pg. 91-95 Date of Entry: 8/04/97 (fcc) [4:71cv6]
- 8/12/97 -- ACKNOWLEDGEMENT OF RECEIPT by Arthur Nickens DO NOT FILE to [145-1] order (fcc) [4:71cv6]
- 8/12/97 147 MOTION by Arthur Nickens, Curtis Antonio Way to Amend [145-1] order (fcc) [4:71cv6]
- 8/15/97 148 ORDER denying [147-1] motion to Amend [145-1] order (signed by Chief Judge L. T. Senter Jr. on 8/12/97) COB # 80 pg. 133 Date of Entry: 8/18/97 (fcc) [Entry date 08/18/97] [4:71cv6]
- 8/25/97 149 ORDER on joint ore tenus motion of the parties, approving Harrison County Work Center for the Housing of 100 State Prisoners. (signed by Chief Judge L. T. Senter Jr. on 8/21/97) COB # 80 pg. 137-139 Date of Entry: 8/25/97 (fcc) [4:71cv6]
- 8/25/97 150 MOTION by Dayral T. Nathan for Preliminary Injunction (fcc) [4:71cv6]
- 8/28/97 151 NOTICE OF INTERLOCUTORY APPEAL of [145-1] order by Arthur Nickens DO NOT FILE, Curtis Antonio Way (fcc) [4:71cv6]
- 8/28/97 -- Notice of Interlocutory Appeal and certified copy of docket to USCA: Doc.#151 (fcc) [4:71cv6]
- 9/11/97 152 ORDER denying [150-1] motion for Preliminary Injunction (signed by Chief Judge L. T. Senter Jr. on 9/10/97) COB # 80 pg. 155-157 Date of Entry: 9/11/97 (fcc) [4:71cv6]

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- 9/16/97 -- USCA Case Number Re: Doc.#151; USCA NUMBER: 97-60616 (fcc)
[4:71cv6]
- 9/22/97 153 ORDER granting [129-1] motion for New Inmate Access to the Court Program, superseding, altering, and amending all prior orders of this court, pertaining to access to the court, to-wit: (1) adopting MDOC procedure for inmate access to the court as contained in Exhibit 1 to this order, (2) directing dfts to furnish a semiannual report to the court regarding the newly instituted program, (3) directing a copy of this semiannual report be provided to plas' class counsel who shall file w/i 30 da. his report to the court concerning the adequacy of the program, etc., (4) directing dfts to be vigilant in their efforts to assure special assistance to illiterate and functionally illiterate inmates, (5) reserving the right to supersede, amend, or supplement this order on 5 da. notice to either party if this court perceives the newly instituted system is denying meaningful access to the courts of meritorious claims of the inmates (signed by Chief Judge L. T. Senter Jr. on 9/18/97) COB # 80 pg. 193-211 Date of Entry: 9/22/97 (fcc) [4:71cv6]
- 9/30/97 154 ORDER on joint ore tenus motion of defendants and plaintiffs approving Jefferson County Regional Correctional Facility for the Housing of Additional State Prisoners (signed by Chief Judge L. T. Senter Jr. on 9/29/97) COB # 80 pg. 218-222 Date of Entry: 9/30/97 (fcc) [4:71cv6]
- 9/30/97 155 ORDER on joint ore tenus motion of defendants and plaintiffs approving the Webster County Jail for the Housing of Additional State Prisoners (signed by Chief Judge L. T. Senter Jr. on 9/29/97) COB # 80 pg. 223-226 Date of Entry: 9/30/97 (fcc) [4:71cv6]
- 9/30/97 156 ORDER on joint ore tenus motion of defendants and plaintiffs approving Issaquena County Regional Correctional Facility for the Housing of Additional State Prisoners (signed by Chief Judge L. T. Senter Jr. on 9/29/97) COB # 80 pg. 227-231 Date of Entry: 9/30/97 (fcc)
[Edit date 10/01/97] [4:71cv6]
- 9/30/97 157 ORDER on joint ore tenus motion of defendants and plaintiffs approving the New Coahoma County Jail for the Housing of Additional State Prisoners (signed by Chief Judge L. T. Senter Jr. on 9/29/97) COB # 80 pg. 232-235 Date of Entry: 9/30/97 (fcc) [4:71cv6]

Proceedings include all events.

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- 10/7/97 158 PLAS' RULE 59 MOTION to Alter or Amend [153-1] order superseding, altering, and amending all prior orders of this court, pertaining to access to the court, to-wit: (1) adopting MDOC procedure for inmate access to the court as contained in Exhibit 1 to this order, (2) directing dfts to furnish a semiannual report to the court regarding the newly instituted program, (3) directing a copy of this semiannual report be provided to plas' class counsel who shall file w/i 30 da. his report to the court concerning the adequacy of the program, etc., (4) directing dfts to be vigilant in their efforts to assure special assistance to illiterate and functionally illiterate inmates, (5) reserving the right to supersede, amend, or supplement this order on 5 da. notice to either party if this court perceives the newly instituted system is denying meaningful access to the courts of meritorious claims of the inmates (fcc) [4:71cv6]
- 10/9/97 159 FIRST VERIFIED NOTICE/MOTION for Attorney's Fees Judgment on the Pleadings, for Related, Supplemental Relief, and Brief in Support in cause no. 4:73cv76-S-D (fcc) [4:71cv6]
- 10/14/97 -- NOTICE of Additional Attorney Affidavit filing to Exhibit A of Plas' 1st Verified Motion for Atty's Fees Judgment on the Pleadings dtd 10/8/97, of William F. Winter by Plaintiffs (fcc) [Edit date 10/15/97] [4:71cv6]
- 10/14/97 160 AFFIDAVIT OF WILLIAM F. WINTER as a Supplement to Exhibit "A" Re: [159-1] motion for Attorney's Fees Judgment on the Pleadings, for Related, Supplemental Relief, and Brief in Support in cause no. 4:73cv76-S-D (fcc) [Edit date 10/15/97] [4:71cv6]
- 10/17/97 161 MOTION by dfts Kirk Fordice, et al, and James Anderson, et al to Extend Time to Respond to Plas' Rule 59 Motion to Alter or Amend Order Approving New Inmate Access to the Court Program and Brief in Support, (and) to Plas' 1st Verified Motion for Atty's Fees Judgment on the Pleadings, et al (fcc) [4:71cv6]
- 10/17/97 -- Letter dtd 10/15/97, from inmate John P. Alexander #30021, Unit 24 Ext., Parchman, MS 38738, requesting copy of Order dtd 9/18/97, referred to MDOC Staff Atty who (according to Alexander) distributed the order at Parchman (fcc) [4:71cv6]
- 10/21/97 162 ORDER on joint ore tenus motion of dfts and plas APPROVING the Pike County Jail for the Housing of Additional State Prisoners (signed by Chief Judge L. T. Senter Jr. on 10/20/97) COB # 80 pg. 255-259 Date of Entry: 10/20/97 (fcc) [4:71cv6]

- LEAD
- 10/22/97 163 RULE 62 MOTION by Pla Class to Stay Proceedings to Enforce A Judgment [re: Order Approving New Inmate Access to the Court Program, filed 9/22/97], pending disposition of plas' Rule 59 Motion to alter or amend, etc. (fcc) [4:71cv6]
- 10/27/97 164 ORDER denying [158-1] motion to Alter or Amend [153-1] order superseding, altering, and amending all prior orders of this court, pertaining to access to the court, to-wit: (1) adopting MDOC procedure for inmate access to the court as contained in Exhibit 1 to this order, (2) directing dfts to furnish a semiannual report to the court regarding the newly instituted program, (3) directing a copy of this semiannual report be provided to plas' class counsel who shall file w/i 30 da. his report to the court concerning the adequacy of the program, etc., (4) directing dfts to be vigilant in their efforts to assure special assistance to illiterate and functionally illiterate inmates, (5) reserving the right to supersede, amend, or supplement this order on 5 da. notice to either party if this court perceives the newly instituted system is denying meaningful access to the courts of meritorious claims of the inmates, denying [163-1] motion to Stay Proceedings to Enforce A Judgment [re: Order Approving New Inmate Access to the Court Program, filed 9/22/97], pending disposition of plas' Rule 59 Motion to alter or amend, etc. (signed by Chief Judge L. T. Senter Jr. on 10/22/97) COB # 80 pg. 274-275 Date of Entry: 10/27/97 (fcc) [4:71cv6]
- 10/27/97 165 MOTION by Class Counsel for Approval of Decision Not to Appeal the Court's Order Approving New Inmate Access to the Court Program, filed 09/22/97 (fcc) [Edit date 10/27/97] [4:71cv6]
- 10/29/97 166 ORDER granting [165-1] motion for Approval of Decision Not to Appeal the Court's Order Approving New Inmate Access to the Court Program, filed 09/22/97 (signed by Chief Judge L. T. Senter Jr. on 10/28/97) COB # 80 pg. 276-277 Date of Entry: 10/29/97 (fcc) [4:71cv6]
- 11/17/97 167 NOTICE of Attorney Appearance for Thomas D. Cook, J. D. Demoville, Turner Arant, Sebe Dale, Robert D. Robinson, H. L. Roberts, John Bell Williams, MDOC by James F. Steel [SAAG] (fcc) [Entry date 11/18/97] [4:71cv6]
- 11/18/97 -- Consolidated Lead Case (fcc) [4:71cv6]
- 11/18/97 168 AGREED ORDER on joint motion ore tenus, dismissing with prejudice as to the time and expense itemized therein, plas' "First Verified Motion for Attorney's Fees...", dated October 8, 1997, (signed by Chief Judge L. T. Senter Jr. on 11/17/97) COB # 80 pg. 308-309 Date of Entry: 11/18/97 (fcc) [4:71cv6]

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- 11/18/97 169 AGREED ORDER, on joint ore tenus motion of the parties, to consolidate, and on the two motions of plas' court-appointed counsel for post-judgment awards of atty's fees; CONSOLIDATING Givhan (4:82cv64-B-A) and Way (4:95cv283-D-A) subclass cases with Gates (4:71cv06-S-D); CERTIFYING Givhan and Way as a subclass of the larger class already certified in Gates: "All adherents of the muslim religion sentenced to the custody of MDOC..."; all future pleadings pertaining to Givhan and Way shall have the same heading, styled, and numbers as that of this order; directing the clerk to effectuate this order of consolidation and certification of subclass; that in full agreed settlement of plas' first and second verified motions and for all additional atty time and expense to date, dfts shall pay Ronald Reid Welch, P.A., the sum of \$18,750.00 NLT 6/31/98, with legal judgment interest to be paid from the date of this order until paid in full; that a separate final judgment order for the fees awarded in Para. 5 shall issue this day from the court and filed by the clerk; that, as previously agreed and ordered in Moore v. Fordice, Para. 12 at page 4 of Agreed Judgment of Settlement and Dismissal, filed 06/28/95, the parties obligate themselves to seek in good faith an informal resolution to any dispute in this case prior to instituting any legal action relative thereto. (signed by Chief Judge L. T. Senter Jr. on 11/17/97) COB # 81 pg. 302-305 Date of Entry: 11/18/97 (fcc) [Edit date 11/19/97] [4:71cv6]
- 11/18/97 170 FINAL JUDGMENT in Givhan v. Puckett, on the first and second verified motions of pla's for post judgment atty's fees and costs to date, directing that dfts shall pay Ronald Reid Welch, P.A., the sum of \$18,750.00 NLT June 31, 1998, with legal judgment interest to be paid from the date of this order until paid in full. (signed by Chief Judge L. T. Senter Jr. on 11/17/97) COB # 81 pg. 306-307 Date of Entry: 11/18/97 (fcc) [Edit date 11/19/97] [4:71cv6]
- 1/7/98 171 NOTICE OF NONCOMPLIANCE OF ADAMS COUNTY JAIL by plaintiffs (fcc) [4:71cv6]
- 1/22/98 172 JUDGMENT OF USCA (certified copy) DISMISSING the appeal under 5thCirR.42.3, for want of prosecution for failure of appellants to pay the docketing and filing fee, w/i the time fixed by the rules, this date, January 20, 1998 (signed by Clerk USCA/5th Cir - for the court by direction) [Re: Doc.#151 - Interlocutory Appeal by Arthur Nickens and Curtis Antonio Way] (fcc) [Entry date 01/23/98] [Edit date 01/23/98] [4:71cv6]
- 1/29/98 173 AMENDATORY CAPACITY ORDER FOR MSP UNIT 29, amending prior population capacity orders of this court so as to allow defendants temporarily to double bunk the single cells in MSP Unit 29's present A and B Buildings, etc. (signed by Chief Judge L. T. Senter Jr. on 1/26/98) COB # 82 pg. 48-51 Date of Entry: 1/29/98 (jta) [4:71cv6]

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2/2/98 -- Mail addressed to Joseph Wright RETURNED marked "Released".
(jta) [4:71cv6]