

**U.S. District Court
District of New Mexico – Version 6.1 (Albuquerque)
CIVIL DOCKET FOR CASE #: 1:77-cv-00721-KG-KK**

Duran, et al v. King, et al
Assigned to: District Judge Kenneth J. Gonzales
Referred to: Magistrate Judge Kirtan Khalsa
Demand: \$0
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 11/15/1977
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Dwight Duran
#26571

represented by **Alvin J. Bronstein**
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Date Filed	#	Docket Text
05/05/1998	2550	NOTICE by plaintiffs' of withdrawal of motion for determination of hourly rates for work performed by paralegals (4/9/98) (sl) (Entered: 05/06/1998)

08/13/1999	2673	OBJECTIONS by defts to the Special Master's 7/13/99 Final Report on Mental Health (no report on file) (former employee) (Entered: 08/16/1999)
12/09/2015	<u>2692</u>	MOTION for Emergency Injunction by Barry Holloway (not listed as a party). (bap) (Entered: 12/11/2015)
12/09/2015	<u>2693</u>	MOTION to Appoint Counsel by Barry Holloway. (bap) (Entered: 12/11/2015)
12/09/2015	<u>2694</u>	MOTION for Contempt by Barry Holloway. (bap) (Entered: 12/11/2015)
12/11/2015	2695	PLEASE TAKE NOTICE that this case has been reassigned to District Judge Kenneth J. Gonzales and Magistrate Judge Gregory B. Wormuth as the trial and pretrial judges. Under D.N.M.LR–Civ. 10.1, the first page of each document must have the case file number and initials of the assigned judges. <i>Accordingly, further documents filed in this matter must bear the case number and the judges' initials shown in the case caption and the NEF for this document.</i> Kindly reflect this change in your filings. District Judge John E. Conway no longer assigned to this case. [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (ln) (Entered: 12/11/2015)
12/14/2015	<u>2696</u>	ORDER referring <u>2693</u> Motion to Appoint Counsel filed by Barry Holloway to Magistrate Judge Gregory B. Wormuth by District Judge Kenneth J. Gonzales. (tah) (Entered: 12/14/2015)
12/14/2015	2697	PLEASE TAKE NOTICE that this case has been reassigned to Magistrate Judge Kirtan Khalsa as the pretrial judge. Under D.N.M.LR–Civ. 10.1, the first page of each document must have the case file number and initials of the assigned judges. <i>Accordingly, further documents filed in this matter must bear the case number and the judges' initials shown in the case caption and the NEF for this document.</i> Kindly reflect this change in your filings. Magistrate Judge Gregory B. Wormuth no longer assigned to this case. [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (ln) (Entered: 12/14/2015)
12/15/2015	<u>2698</u>	AMENDED ORDER referring <u>2693</u> Motion to Appoint Counsel filed by Barry Holloway to Magistrate Judge Kirtan Khalsa by District Judge Kenneth J. Gonzales. (tah) (Entered: 12/15/2015)
12/23/2015	<u>2699</u>	Mail Returned as Undeliverable re 2695 Notice of Judge Reassignment,, Mail sent to M Victoria Amada (yc) (Entered: 12/23/2015)
12/23/2015	<u>2700</u>	Mail Returned as Undeliverable re 2697 Notice of Judge Reassignment,, Mail sent to M Victoria Amada (yc) (Entered: 12/23/2015)
12/23/2015	<u>2701</u>	NOTICE of Intent by Barry Holloway (yc) (Entered: 12/23/2015)
12/30/2015	<u>2702</u>	Mail Returned as Undeliverable re <u>2692</u> MOTION for Preliminary Injunction, <u>2696</u> Order Referring Motion, <u>2694</u> MOTION for Contempt, <u>2693</u> MOTION to Appoint Counsel. Mail sent to M. Victoria Amada (bap) (Entered: 12/31/2015)
01/07/2016	<u>2703</u>	ORDER SETTING TELEPHONIC STATUS CONFERENCE by Magistrate Judge Kirtan Khalsa. Counsel, including a representative of the New Mexico Attorney General's Office, shall appear telephonically before Judge Khalsa on 1/15/2016 at 10:00 AM, Mountain Standard Time, for a status conference, by calling Judge Khalsa's "Meet Me" conference line at (505) 348–2347. At the conference, counsel shall be prepared to address the current status of counsel in the case, as well as Defendant's ongoing compliance with Sections II.F. and II.G. of the Settlement Agreement adopted by the Court on 9/19/1991. (kmt) Modified text on 1/7/2016 (eh). (Entered: 01/07/2016)

01/11/2016	<u>2704</u>	Mail Returned as Undeliverable re <u>2698</u> Order Referring Motion. Mail sent to Vincent M. Nathan (yc) (Entered: 01/11/2016)
01/11/2016	<u>2705</u>	Mail Returned as Undeliverable re <u>2698</u> Order Referring Motion. Mail sent to David Arnold W (yc) (Entered: 01/11/2016)
01/14/2016	<u>2706</u>	MOTION for Order <i>To Request For Excusal of Participation in Telephonic Status Conference</i> by Dwight Duran. (Winterbottom, Richard) (Entered: 01/14/2016)
01/14/2016	<u>2707</u>	ORDER by Magistrate Judge Kirtan Khalsa granting <u>2706</u> Motion for Excusal of Participation in Telephonic Status Conference. Richard Winterbottom is excused. THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED. (kc) (Entered: 01/14/2016)
01/15/2016	<u>2708</u>	Clerk's Minutes for proceedings held before Magistrate Judge Kirtan Khalsa: Telephonic Status Conference held on 1/15/2016. (kmt) (Entered: 01/20/2016)
01/20/2016	<u>2709</u>	ORDER SETTING STATUS CONFERENCE by Magistrate Judge Kirtan Khalsa. Counsel, including a representative of the New Mexico Attorney General's Office, shall appear in person or telephonically before Judge Khalsa on 2/16/2016 at 1:00 PM for a status conference, by appearing at 560 Cimarron Courtroom, Fifth Floor, 333 Lomas Boulevard, Northwest, Albuquerque, New Mexico, or by calling Judge Khalsa's "Meet Me" conference line at (505) 348-2347. Counsel are to notify Judge Khalsa's chambers by 2/12/2016 whether they will be appearing in person or telephonically. (kmt) (Entered: 01/20/2016)
02/01/2016	<u>2710</u>	Mail Returned as Undeliverable re <u>2706</u> MOTION for Order <i>To Request For Excusal of Participation in Telephonic Status Conference</i> . Mail sent to Alvin J. Bronstein (jn) (Entered: 02/03/2016)
02/01/2016	<u>2711</u>	Mail Returned as Undeliverable re <u>2702</u> Mail Returned. Mail sent to Elizabeth Alexander (jn) (Entered: 02/04/2016)
02/01/2016	<u>2713</u>	Mail Returned as Undeliverable re <u>2707</u> Order on Motion for Order. Mail sent to Elizabeth Alexander (jn) (Entered: 02/04/2016)
02/01/2016	<u>2714</u>	Mail Returned as Undeliverable re <u>2707</u> Order on Motion for Order. Mail sent to Alvin J. Bronstein (jn) (Entered: 02/04/2016)
02/01/2016	<u>2715</u>	Mail Returned as Undeliverable re <u>2708</u> Status Conference. Mail sent to M Victoria Amada (jn) (Entered: 02/04/2016)
02/01/2016	<u>2716</u>	Mail Returned as Undeliverable re <u>2709</u> Order,,, Set Hearings,,, Mail sent to M Victoria Amada (jn) (Entered: 02/04/2016)
02/04/2016	<u>2712</u>	Mail Returned as Undeliverable re <u>2704</u> Mail Returned. Mail sent to Elizabeth Alexander (jn) (Entered: 02/04/2016)
02/08/2016	<u>2717</u>	Mail Returned as Undeliverable re <u>2708</u> Status Conference. Mail sent to Alvin J. Bronstein (jjs) (Entered: 02/08/2016)
02/08/2016	<u>2718</u>	Mail Returned as Undeliverable re <u>2709</u> Order,,, Set Hearings,,, Mail sent to Elizabeth Alexander (jjs) (Entered: 02/08/2016)
02/08/2016	<u>2719</u>	Mail Returned as Undeliverable re <u>2709</u> Order,,, Set Hearings,,, Mail sent to Alvin J. Bronstein (jjs) (Entered: 02/08/2016)
02/12/2016	<u>2721</u>	Mail Returned as Undeliverable re <u>2718</u> Mail Returned. Mail sent to M. Victoria Amada (jjs) (Entered: 02/16/2016)
02/12/2016	<u>2722</u>	Mail Returned as Undeliverable re <u>2719</u> Mail Returned. Mail sent to M. Victoria Amada (jjs) (Entered: 02/16/2016)
02/15/2016	<u>2720</u>	NOTICE of Appearance by Martha A. Kelly on behalf of Bruce King (Kelly, Martha) (Entered: 02/15/2016)
02/16/2016	<u>2723</u>	NOTICE of Appearance by Ari Biernoff on behalf of Bruce King (Biernoff, Ari) (Entered: 02/16/2016)

02/17/2016	<u>2724</u>	MOTION to Withdraw as Attorney <i>Motion to Withdraw as Counsel for the Plaintiffs</i> by Dwight Duran. (Winterbottom, Richard) (Entered: 02/17/2016)
02/18/2016	<u>2725</u>	ORDER GRANTING MOTION TO WITHDRAW by Magistrate Judge Kirtan Khalsa. Richard A. Winterbottom's Motion to Withdraw as Counsel for the Plaintiffs (Doc. 2724) is granted. (kmt) (Entered: 02/18/2016)
02/19/2016	<u>2726</u>	ORDER DENYING MOTION FOR APPOINTMENT OF COUNSEL by Magistrate Judge Kirtan Khalsa. Mr. Holloway's Motion for Appointment of Counsel (Doc. 2693) is denied. The Clerk is directed to mail a copy of the Court's "Guide for Pro Se Litigants" to Mr. Holloway. (kmt) (Entered: 02/19/2016)
02/22/2016	<u>2727</u>	Emergency MOTION for Temporary Restraining Order , <i>for Contempt and for Remedial Relief</i> by Dwight Duran. (Attachments: # <u>1</u> Exhibit declarations by class members, # <u>2</u> Exhibit declarations by class members)(Cubra, Peter) (Entered: 02/22/2016)
02/25/2016	<u>2728</u>	Mail Returned as Undeliverable re <u>2725</u> Order on Motion to Withdraw as Attorney. Mail sent to M Victoria Amada (yc) (Entered: 02/25/2016)
02/26/2016	<u>2729</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>2727</u> Emergency MOTION for Temporary Restraining Order , <i>for Contempt and for Remedial Relief</i> by Bruce King. (Attachments: # <u>1</u> Proposed Order)(Biernoff, Ari) (Entered: 02/26/2016)
02/29/2016	<u>2730</u>	ORDER GRANTING UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE RESPONSE by Magistrate Judge Kirtan Khalsa. Defendant's Unopposed Motion for Extension of Time to File Response (Doc. 2729) is granted. Defendant shall file a response to Plaintiffs' Emergency Motion for Temporary Restraining Order (Doc. 2727) by 3/7/2016. (kmt) (Entered: 02/29/2016)
02/29/2016	<u>2731</u>	RESPONSE in Opposition re <u>2692</u> MOTION for Preliminary Injunction, <u>2694</u> MOTION for Contempt filed by Bruce King. (Attachments: # <u>1</u> Exhibit McCarney Affidavit, # <u>2</u> Exhibit Booker Affidavit)(Biernoff, Ari) (Entered: 02/29/2016)
03/01/2016	<u>2732</u>	Unopposed MOTION to Substitute Attorney by Dwight Duran. (Cubra, Peter) (Entered: 03/01/2016)
03/01/2016	<u>2733</u>	ORDER SUBSTITUTING COUNSEL by Magistrate Judge Kirtan Khalsa. The Unopposed Motion of the Plaintiff Class to Substitute Counsel from the National Prison Project to Represent the Plaintiff Class (Doc. 2732) is granted. David Fathi is substituted for Alvin J. Bronstein and Elizabeth Alexander as counsel for the Plaintiff class. All other counsel of record for the Plaintiff class will continue to represent the Plaintiff class in this matter until further Order of this Court. (kmt) (Entered: 03/01/2016)
03/04/2016	<u>2734</u>	Mail Returned as Undeliverable re <u>2730</u> Order on Motion for Extension of Time to File Response/Reply,. Mail sent to M Victoria Amada (yc) (Entered: 03/04/2016)
03/04/2016	<u>2735</u>	Mail Returned as Undeliverable re <u>2733</u> Order on Motion to Substitute Attorney,. Mail sent to M Victoria Amada (yc) (Entered: 03/04/2016)
03/07/2016	<u>2736</u>	Unopposed MOTION for Extension of Time to File Response/Reply by Bruce King. (Attachments: # <u>1</u> Proposed Order)(Biernoff, Ari) (Entered: 03/07/2016)
03/08/2016	<u>2737</u>	ORDER by District Judge Kenneth J. Gonzales granting <u>2736</u> Unopposed Motion for Extension of Time to File Response. Response due by 3/21/2016. (tah) (Entered: 03/08/2016)
03/14/2016	2738	ASSOCIATION of Attorney Licensed Outside the District for Plaintiff Dwight Duran by David C Fathi (Association Dues – Online Payment) (Fathi, David) [THIS IS A TEXT-ONLY ENTRY. THERE ARE NO DOCUMENTS ATTACHED.] (Entered: 03/14/2016)
03/14/2016		Association Dues Received: \$ 100 receipt number 1084-4471407 re: # 2738 Association of Attorney Licensed Outside the District, filed by Dwight Duran (Payment made via Pay.gov)(Fathi, David) (Entered: 03/14/2016)