

CLOSED

**U.S. District Court  
SOUTHERN DISTRICT OF TEXAS (Galveston)  
CIVIL DOCKET FOR CASE #: 3:10-cv-00251**

Prison Legal News, et al v. Poor et al  
Assigned to: Judge Kenneth M. Hoyt  
Cause: 42:1983 Civil Rights Act

Date Filed: 06/28/2010  
Date Terminated: 02/24/2011  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Prison Legal News**

represented by **Scott Charles Medlock**  
Texas Civil Rights Project  
1405 Montopolis Drive  
Austin, TX 78741  
512-474-5073  
Fax: 512-474-0726  
Email: [scott@texascivilrightsproject.org](mailto:scott@texascivilrightsproject.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Brian Rolland McGiverin**  
Texas Civil Rightst Project  
1405 Montopolis Dr  
Autsin, TX 78741-3438  
572-474-5073  
Email: [bmcgiver@gmail.com](mailto:bmcgiver@gmail.com)  
**ATTORNEY TO BE NOTICED**

**Lauren Izzo**  
Texas City Rights Project  
1405 Montopolis Dr  
Austin, TX 78741  
512-474-5073  
Fax: 512-474-0726  
Email: [lauren.tcrp@gmail.com](mailto:lauren.tcrp@gmail.com)  
**TERMINATED: 01/12/2011**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Human Rights Defense Center**  
*a non profit Washington corporation*

represented by **Human Rights Defense Center**  
PRO SE

**Lauren Izzo**  
(See above for address)  
**TERMINATED: 01/12/2011**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Sheriff Freddie Poor**  
*individually and in his official capacity as  
the Sherrif of Galveston County*  
**TERMINATED: 02/22/2011**

represented by **Donald S Glywasky**  
Galveston County Legal Dept  
722 Moody  
5th Floor  
Galveston, TX 77550  
409-770-5562  
Fax: 409-770-5560  
Email: [donald.glywasky@co.galveston.tx.us](mailto:donald.glywasky@co.galveston.tx.us)  
**LEAD ATTORNEY**

ATTORNEY TO BE NOTICED

**Defendant****Gean Leonard**  
TERMINATED: 02/22/2011represented by **Donald S Glywasky**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED**Defendant****Lieutenant R.C. Delacruz, Jr.**  
TERMINATED: 02/22/2011represented by **Donald S Glywasky**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED**Defendant****Galveston County**represented by **Donald S Glywasky**  
(See above for address)  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/28/2010	<u>1</u>	COMPLAINT against R.C. Delacruz, Jr, Galveston County, Gean Leonard, Freddie Poor (Filing fee \$ 350 receipt number 0541-6574867) filed by Human Rights Defense Center dba Prison Legal News. (Attachments: # <u>1</u> Civil Cover Sheet)(Izzo, Lauren) (Entered: 06/28/2010)
06/29/2010	<u>2</u>	ORDER for Initial Pretrial and Scheduling Conference by Telephone and Order to Disclose Interested Persons. Counsel who filed or removed the action is responsible for placing the conference call and insuring that all parties are on the line. The call shall be placed to (713)250-5613. Telephone Conference set for 9/29/2010 at 03:00 PM by telephone before Judge Kenneth M. Hoyt.(Signed by Judge Kenneth M. Hoyt) Parties notified.(Iusmith, ) (Entered: 06/29/2010)
08/25/2010	<u>3</u>	ANSWER to <u>1</u> Complaint by R.C. Delacruz, Jr, Galveston County, Gean Leonard, Freddie Poor, filed.(Glywasky, Donald) (Entered: 08/25/2010)
09/08/2010	<u>4</u>	CERTIFICATE OF INTERESTED PARTIES by Prison Legal News, filed.(Izzo, Lauren) (Entered: 09/08/2010)
09/15/2010	<u>5</u>	NOTICE of Resetting. Parties notified. Telephone Conference reset for 9/29/2010 at 08:00 AM before Judge Kenneth M. Hoyt, filed. (ccarnew, ) (Entered: 09/15/2010)
09/16/2010	<u>6</u>	CERTIFICATE OF INTERESTED PARTIES by R.C. Delacruz, Jr, Galveston County, Gean Leonard, Freddie Poor, filed.(Glywasky, Donald) (Entered: 09/16/2010)
09/17/2010	<u>7</u>	JOINT DISCOVERY/CASE MANAGEMENT PLAN by Prison Legal News, filed.(Izzo, Lauren) (Entered: 09/17/2010)
09/29/2010	<u>8</u>	ORDER FOLLOWING TELEPHONE SCHEDULING CONFERENCE held on 9/29/2010. Appearances: Wayne Krause, Donald S Glywasky. ETT: 3 days. Bench. Pltf Expert Witness List due by 4/1/2011 Pltf Expert Report due by 4/1/2011 Deft Expert Witness List due by 5/1/2011 Deft Expert Report due by 5/1/2011 Discovery due by 7/1/2011 Dispositive Motion Filing due by 7/30/2011 Docket Call set for 9/19/2011 at 09:30 AM in Sixth Floor Courtroom before Judge Kenneth M. Hoyt.(Signed by Judge Kenneth M. Hoyt) Parties notified.(dwilkerson, ) (Entered: 09/29/2010)
10/04/2010	<u>9</u>	INITIAL DISCLOSURES by R.C. Delacruz, Jr, Galveston County, Gean Leonard, Freddie Poor, filed.(Glywasky, Donald) (Entered: 10/04/2010)

12/03/2010	<u>10</u>	MOTION for Brian Rolland McGiverin to Appear Pro Hac Vice by Prison Legal News, filed. Motion Docket Date 12/27/2010. (Izzo, Lauren) (Main Document 10 replaced on 12/6/2010) (Iusmith, ). (Entered: 12/03/2010)
12/03/2010	<u>11</u>	MOTION to Substitute Attorney Brian McGiverin in place of Lauren Izzo, MOTION for Lauren Izzo to Withdraw as Attorney( Motion Docket Date 12/27/2010.) by Prison Legal News, filed. (Attachments: # <u>1</u> Proposed Order)(Izzo, Lauren) (Entered: 12/03/2010)
12/09/2010	<u>12</u>	ORDER granting <u>10</u> Motion to Appear Pro Hac Vice.(Signed by Judge Kenneth M. Hoyt) Parties notified.(ccarnew, ) (Entered: 12/09/2010)
01/12/2011	<u>13</u>	ORDER granting <u>11</u> Motion to Substitute Attorney Attorney Lauren Izzo terminated; granting <u>11</u> Motion to Withdraw as Attorney. Attorney Lauren Izzo terminated.(Signed by Judge Kenneth M. Hoyt) Parties notified.(ccarnew, ) (Entered: 01/12/2011)
01/13/2011	<u>14</u>	ADVISORY by Prison Legal News, filed.(Medlock, Scott) (Entered: 01/13/2011)
02/16/2011	<u>15</u>	Agreed MOTION to Dismiss <i>INDIVIDUAL DEFENDANTS</i> by Prison Legal News, filed. Motion Docket Date 3/9/2011. (Attachments: # <u>1</u> Proposed Order)(Medlock, Scott) (Entered: 02/16/2011)
02/22/2011	<u>16</u>	ORDER GRANTING <u>15</u> Plaintiff's Agreed Motion to Dismiss. Claims against individual Defendants Poor, Leonard, Delacruz are DISMISSED with prejudice.(Signed by Judge Kenneth M. Hoyt) Parties notified.(dwilkerson, ) (Entered: 02/22/2011)
02/23/2011	<u>17</u>	SETTLEMENT AGREEMENT by Galveston County, Prison Legal News, filed.(Medlock, Scott) (Entered: 02/23/2011)
02/24/2011	<u>18</u>	ORDER OF DISMISSAL on Settlement Announcement; case dismissed without prejudice to the right of parties to move for reinstatement within ninety days. Case terminated on 2/24/11.(Signed by Judge Kenneth M. Hoyt) Parties notified.(ccarnew, ) (Entered: 02/24/2011)
03/07/2011	<u>19</u>	Joint MOTION to Reinstate FOR ENTRY OF STIPULATED JUDGMENT by Prison Legal News, filed. Motion Docket Date 3/28/2011. (Attachments: # <u>1</u> Proposed Order)(Medlock, Scott) (Entered: 03/07/2011)
03/09/2011	<u>20</u>	ORDER ADOPTING STIPULATED JUDGMENT and DISMISSING with PREJUDICE <u>17</u> Stipulated Settlement Agreement.(Signed by Judge Kenneth M. Hoyt) Parties notified.(chorace) (Entered: 03/09/2011)