



JC-KS-001-000

KC-3163

C

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

Remanded and Re-Opened 7-16-73

TITLE OF CASE	ATTORNEYS
<p>UNITED STATES OF AMERICA,</p>	<p>For plaintiff:</p>
<p>Plaintiff,</p>	<p>John N. Mitchell, Atty. Gen. Jerris Leonard, Ass't Atty. Gen. Robert J. Roth, U.S. Atty, Dist. of Kansas Gerald W. Jones, Atty, Dept. of Justice Richard W. Bourne, Atty, Dept. of Justice Washington, D.C.</p>
<p>v.</p>	<p>-Gerald W. Jones, Dept. of Justice -Richard W. Bourne, Dept. of Justice, Wash Jesse H. Queen, Director of Office of Institutions, Civil Rights Division, Safeway Bldg., 521 Twelfth St., N.W., Room 909, Wash., D.C. Phone: 202-739-4313 200</p>
<p>WYANDOTTE COUNTY, KANSAS, a body corporate; CORDELL D. MEEKS, Chairman of the Board of Commissioners of Wyandotte County, Kansas; ALBERT J. SACHEN and RICHARD F. WALSH, Members of the Board of Commissioners of Wyandotte County, GLENN E. BRUNK, Sheriff of Wyandotte County, Kans. JESS F. BORING, Undersheriff of Wyandotte County, Kansas; CAPTAIN SALLEE PACHECO, Deputy Sheriff of Wyandotte County, Kansas and Warden of the Wyandotte County Jail of Wyandotte County, Kansas,</p>	<p>(For Defts. -J. W. Mahoney 302 Brotherhood Bldg. K.C. Brunk, Boring, 371-2314 & Pacheco) Thomas E. Joyce 428 Brotherhood Bldg. KC.1 371-5540</p>
<p>Defendants.</p>	<p>For defendant: Frank D. Menghini Wyandotte County Attorney Wyandotte County Courthouse Kansas City, Kansas 66101 371-1600 Robert J. Foster (Meeks, Sachen & Walsh) 731 Ann Avenue Kansas City, Kansas 66101 371-8391 Nick Tomasic Wyandotte County District Attorney Wyandotte County Courthouse Kansas City, Kansas 66101</p>

STATISTICAL RECORD	COSTS	DATE 1970	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed	Clerk	15 00			
J.S. 6 mailed	Marshal	127. 04			
Basis of Action: Civil Rights Act	Docket fee	20. 00			
	Witness fees				
Action arose at:	Depositions				
	Total Costs Paid	162.04 XXXXXX XXXXXX XXXXXX			

U.S.A. v. Wyandotte County, Kansas, et al

D. C. 110A Rev. Civil Docket Continuation

DATE 1971	PROCEEDINGS	Date Order Judgment N.
cont'd Sept 7	It is ordered that the motion of defendants, the Board of County Commissioners Albert Sachen, Cordell D. Meeks and Julius Novak for an order of dismissal or for Summary judgment is hereby overruled.	
31-Sep 30	MOTION of United States to extend time for discovery, filed.	
32-Oct 18	At K.C., Judge Brown, Plcf's motion to extend time for discovery. Granted. Case set for trial 11-1-71.	
33-Oct 20	Notice to take depositions of Mr. Jess F. Boring and Mr. Salle Pacheco on behalf of the defendants, filed.	
34-Oct 21	At K.C., Judge Brown. Motion for protection, after O/A sustained. Depositions set for 10-26-71 not to be taken.	
35-Oct 21	MOTION of defts. Brunk, Boring and Pacheco for protective order, filed.	
36-Oct 21	Petition for Writ of Habeas Corpus ad Testificandum on Robert Earl Banks, filed.	
37-Oct 22	ORDER for writ of Habeas Corpus Ad Testificandum filed. FGT. Writ issued to Marshal.	
38-Oct 21	Petition for Writ of Habeas Corpus ad Testificandum on Steven Scott Pannell, filed.	
39-Oct 22	ORDER for writ of Habeas Corpus Ad Testificandum filed. FGT. Writ issued to Marshal.	
40-Oct 21	Petition for Writ of Habeas Corpus ad Testificandum on Ronald Eugene Logan, filed.	
41-Oct 22	ORDER for writ of Habeas Corpus Ad Testificandum filed. FGT. Writ issued to Marshal.	
42-Oct 21	Petition for Writ of Habeas Corpus ad Testificandum on John Stanley Arnold filed.	
43-Oct 22	ORDER for writ of Habeas Corpus Ad Testificandum filed. FGT. Writ issued to Marshal.	
44-Oct 22	Petition for Writ of Habeas Corpus ad Testificandum on John Howard Huntley, filed.	
45-Oct 22	ORDER for writ of Habeas Corpus Ad Testificandum filed. FGT. Writ issued to Marshal.	
46-Oct 22	Petition for Writ of Habeas Corpus Ad Testificandum on Robert Joseph Moore, filed.	
47-Oct 22	ORDER for writ of Habeas Corpus Ad Testificandum filed. FGT. Writ issued to Marshal.	
48-Oct 26	Civil Subpoena returned and filed. Personal service on Sallee Pacheco, Warden Warden, Wyandotte County Jail, on September 21, 1971, At K.C., Ks, deft. FEES: \$2.00	
49-Oct 26	ORDER filed and ENTERED. WEB. Defts. motion for protection is sustained.	
50-Oct 26	Petition for Writ of Habeas Corpus Ad Testificandum on Kenneth Ray Brooks, filed with ORDER for writ of Habeas Corpus Ad Testificandum filed. WEB. Writ issued to U. S. Marshal.	
51-Oct 27	Civil Subpoena returned and filed. Personal service on Jess F. Boring, at Kansas City, Kansas on October 22, 1971, on behalf of the plaintiff. FEES: \$ 3.20	
52-Oct 27	Civil Subpoena returned and filed. Personal service on Jess F. Boring at Kansas City, Kansas on October 22, 1971, on behalf of the plaintiff. FEES: \$ 3.20	
53-Oct 29	Civil Subpoena returned and filed. John W. Caswell not served not found on behalf of the plaintiff. FEES: \$-----	
54-Oct 29	Civil Subpoena returned and filed. Personal service on Arthur Lee Sorrells at Kansas City, Kansas on Oct. 22, 1971 on behalf of the plaintiff. FEES: \$ 2.12	
55-Oct 29	Civil Subpoena returned and filed. Personal service on Salle Pacheco, at Kansas City, Kansas on October 22, 1971 on behalf of the plaintiff. FEES: \$ 2.12	
56-Nov 1	Stipulation filed.	
57-Nov 1	Civil Subpoena returned and filed. Personal service on Orr Lee Orr at Kansas City, Kansas on October 27, 1971, behalf of the plaintiff. FEES: \$3.44	
58-Nov 1	Civil Subpoena returned and filed. Personal service on Joe Willie Jones at Bonner Springs, Kansas on October 28, 1971, on behalf of the plaintiff. FEES: \$9.44	
59-Nov 1	MOTION to amend government's witness list, filed.	
60-Nov 1	TRIAL TO THE COURT AT K.C., JUDGE BROWN. Trial to court begun.	
Nov 2	TRIAL TO THE COURT AT K.C., JUDGE BROWN. Trial to court resumed, cont'd to tomorrow.	
61-Nov 3	Writ of Habeas Corpus Ad Testificandum returned and filed, on Robert Joseph Moore, not served at request of U. S. Attorney.	
62-Nov 3	Civil Subpoena returned and filed on John W. Caswell, not found in Princeton, Ks. not served, not found in district, behalf of plaintiff. FEES: \$16.68	
63-Nov 3	Civil Subpoena returned and filed. Personal service on Cordell Meeks at Kansas City, Kansas on November 1, 1971, on behalf of the plaintiff. FEES: \$ 2.24	
64-Nov 3	Civil Subpoena returned and filed. Personal service on Eugene Hall at Kansas City, Kansas on November 1, 1971, on behalf of the plaintiff. FEES: \$ 3.44	
65-Nov 3	Subpoena ticket returned and filed on John Caswell. personal service on ...	

D. C. 110A Rev. Civil Docket Continuation

U.S.A. v. Wyandotte County, Kansas, et al

DATE	PROCEEDINGS	Date Order or Judgment Noted
	continued the plaintiff United States of America, their costs of action.	
May 9 86-Jul 7	JS 6 ppd NOTICE OF APPEAL by plaintiff, filed. Copies mailed to: Gerald W. Jones, Richard W. Bourne, J. W. Mahoney, Thomas E. Joyce, Frank D. Menghini, Robert J. Foster, Howard K. Phillips, Clerk, U. S. Court of Appeal in Denver.	
87-Jul 7	Transcript of Trial Proceedings of November 1, 2 and 3, 1972, filed. (pink copy) Original on file now.	
88-Aug 16	ORDER filed and ENTERED. O'Connor. Time to transmit record on appeal extended to Sept. 5, 1972. Copies to Court of Appeals and counsel of record.	
89-Sep 5	ORDER filed and ENTERED. O'Connor. Time to transmit record on appeal extended to Sept. 12, 1972. Copies to Court of Appeals and counsel of record.	
Sept 12 1973	Record on Appeal transmitted to Clerk, U. S. Court of Appeals, Denver, Colo. This date. Copies of transmittal letter and index to counsel of record.	
90-Jul 16	OPINION of Tenth Circuit Court of Appeals, filed.	
91-Jul 16	Mandate of Tenth Circuit Court of Appeals, filed. It is ordered that the decision of the District Court is reversed and the cause remanded for further proceedings not inconsistent with the opinion of this court. Notice of entry mailed to James P. Turner, Jesse H. Queen, Richard W. Bourne and John C. Hoyle; Robert J. Roth; Nick A. Tomasic; Robert J. Foster; J. W. Mahoney; Thomas E. Joyce	
Jul 16 92-Sep 24	Re-Opened - JS- 5 ppd. Letter notification from U. S. Court of Appeals Clerk re notification from Clerk, U.S. Supreme Court of the filing on September 19, 1973 of petition for Writ of Certiorari, Supreme Court No. 73-510 from 10th Circuit per curiam opinion filed 6-21-73 in No. 72-1633, filed.	
93-Oct 16	Entry of Appearance of Nick A. Tomasic, District Attorney on behalf of the defts., filed.	
94-Oct 29	MOTION of pltf for entry of judgment, filed.	
95-Oct 29	MEMO in support of motion for entry of judgment, filed.	
96-Oct 30	Letter from District Attorney, Nick A. Tomasic, Wyandotte County with copy of letter from Supreme Court of the U.S. dated Sept. 19, 1973 advising the docketing of a writ of certiorari in this action, with letter attached from the Sheriff's Office of Wyandotte County dated October 25, 1973, filed.	
97-Oct 29	Proposed Order of plaintiff, filed.	
Nov 5	MOTION of Wyandotte County, Kansas for stay of execution, filed.	
Dec 12	Letter from U. S. Courts of Appeals, advising that Writ of Certiorari was denied, filed.	
<u>1974</u>		
0-Jan 29	FINAL ORDER filed and ENTERED. Brown - Chief Judge copy mailed to: James P. Davis; Robert Hart; Matthew Podrebarac; Bert Cantwell and Grover Patton,	
1-Jan 29	JUDGMENT ON DECISION BY THE COURT filed and ENTERED by the clerk. This action came on for hearing before the Court, Honorable Wesley E. Brown, Chief Judge, United State District Court presiding, and the issues having been duly heard and a decision having been duly rendered upon the basis of the opinion and order of the United States Court of Appeals for the Tenth Circuit entered in the above cause on June 21, 1973 (No. 72-1633) and pursuant to the mandate of the court of appeals filed with this court on July 16, 1973. It is ordered, adjudged and decreed: (1) that the defts, their successors in office, agents, servants, and employees, be permanently enjoined from engaging in any act or practice which has the purpose or effect of discriminating against any prisoner in the operation of the Wyandotte County Jail and any other penal facility or operation in their custody	

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DATE 1976	PROCEEDINGS	Date Order or Judgment Noted
Mar 10 110	Deposition Subpoena and return. Karl Vaughn served 3/10/76, in Kansas City, Kansas.	
Mar 10 111	Deposition Subpoena and return. Bert Cantwell served 3/10/76 in Kansas City, Kansas.	
Mar 10 112	Deposition Subpoena and return. Matt Podrebarac served 3/10/76 in Kansas, City, KS.	
Mar 22 113	Deposition of Matthew G. Podrebarac taken on behalf of the Plaintiff. <u>Fees paid</u>	\$ 67.65
Mar 22 114	Plaintiff's Exhibits 1 through 5, to the deposition of Matthew G. Podrebarac	Pltf.
Mar 22 115	Deposition of Karl Ace Vaughn taken on behalf of the Plaintiff. <u>Fees paid</u>	\$73.65 Plt:
Mar 22 116	Plaintiff's Exhibits 1 through 6, to the deposition of Karl Ace Vaughn	
Mar 22 117	Deposition of Bernal D. Cantwell taken on behalf of the Plaintiff. <u>Fees paid</u>	105.15 Plt:
Mar 22 118	Plaintiff's Exhibits 1 through 6, to the deposition of Bernal D. Cantwell.	
Mar 22 119	Plaintiff's Exhibits 7 through 18, to the deposition of Bernal D. Cantwell.	

United States District Court
District of Kansas
Clerk's Office, Kansas City

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Cover Page and 4 Pages

Date: 8/1/97

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TO THE ATTENTION OF:

Brad Kopliński