

**U.S. District Court  
Western District of Pennsylvania (Pittsburgh)  
CIVIL DOCKET FOR CASE #: 2:08-cv-00979-DSC**

URBINA et al v. RUSTIN  
Assigned to: David S. Cercone  
Cause: 28:2241 Petition for Writ of Habeas Corpus (Federal)

Date Filed: 07/11/2008  
Date Terminated: 07/23/2008  
Jury Demand: None  
Nature of Suit: 530 Habeas Corpus  
(General)  
Jurisdiction: Federal Question

**Petitioner**

**WILMER URBINA**  
*AND*

represented by **Donald Driscoll**  
Community Justice Project  
429 Forbes Avenue  
1705 Allegheny Building  
Pittsburgh, PA 15219  
(412) 434-6012  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Petitioner**

**RUTILO ROMERO-RAMIREZ**  
*on behalf of OMAR*  
*ROMERO-VILLEGAS, a minor,*  
*individually and on behalf of all others*  
*similarly situated*

represented by **Donald Driscoll**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Evalynn B. Welling**  
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V.

**Respondent**

**RAMON C. RUSTIN**  
*Warden, Allegheny County Jail*

represented by **Megan Farrell**  
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*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
07/11/2008	<u>1</u>	PETITION for Writ of Habeas Corpus ( Filing fee \$ 5 receipt number 948478), filed by WILMER URBINA, RUTILO ROMERO-RAMIREZ. (Attachment: # <u>1</u> Civil Cover Sheet) (jsp) (Entered: 07/11/2008)
07/14/2008	<u>2</u>	ORDER TO SHOW CAUSE – Respondent, Ramon C. Rustin, shall show cause why the petition for writ of habeas corpus should not be granted on or before Wednesday, July 16, 2008. IT IS FURTHER ORDERED that a hearing on Petitioners' Writ is hereby scheduled for Wednesday, July 23, 2008, at 10:00 a.m. Courtroom No. 7A, 7th Floor, United States Post Office & Courthouse, Pittsburgh, PA. Respondent shall produce Petitioner, WILMER URBINA, and minor detainee OMAR ROMERO-VILLEGAS at the hearing. IT IS FURTHER ORDERED that Petitioner shall immediately serve a copy of this Rule to Show Cause and Order setting the hearing upon Respondent and counsel for Respondent via electronic mail and hand delivery; and upon service of this Rule to Show Cause and Order, Petitioners shall file a return of service forthwith. Signed by Judge David S. Cercone on 7/14/08. (jmc) (Entered: 07/14/2008)
07/15/2008	<u>3</u>	NOTICE of Appearance by Evalynn B. Welling on behalf of RUTILO ROMERO-RAMIREZ (Welling, Evalynn) (Entered: 07/15/2008)
07/15/2008	<u>4</u>	DECLARATION (Return of Service) re <u>2</u> Order to Show Cause by RUTILO ROMERO-RAMIREZ Affiant: Donald Driscoll. (Welling, Evalynn) Modified on 7/16/2008. (jsp) (Entered: 07/15/2008)
07/15/2008	<u>5</u>	NOTICE of Appearance by Michael H. Wojcik on behalf of RAMON C. RUSTIN (Wojcik, Michael) (Entered: 07/15/2008)
07/15/2008	<u>6</u>	RESPONSE to <u>2</u> Order to Show Cause filed by RAMON C. RUSTIN. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C) (Wojcik, Michael) Modified on 7/16/2008. (jsp) (Entered: 07/15/2008)
07/16/2008	<u>7</u>	MOTION to Expedite Discovery by WILMER URBINA. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit A) (Driscoll, Donald) Modified to remove duplicative attachment description on 7/17/2008. (jsp) (Entered: 07/16/2008)
07/16/2008	<u>8</u>	MOTION for Extension of Time to File Response/Reply as to <u>2</u> Order to Show Cause by RAMON C. RUSTIN. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order) (Farrell, Megan) Modified on 7/17/2008. (jsp) (Entered: 07/16/2008)
07/17/2008	<u>9</u>	ORDER granting <u>8</u> Motion for Extension of Time to File Response to Rule to Show Cause. Responses due by 7/21/2008. Signed by Judge David S. Cercone on 7/17/08. (jmc) (Entered: 07/17/2008)
07/17/2008	<u>10</u>	ORDER denying <u>7</u> Motion for Expedited Discovery. Signed by Judge David S. Cercone on 7/17/08. (jmc) (Entered: 07/17/2008)
07/21/2008	<u>11</u>	RESPONSE to <u>2</u> Order to Show Cause, <u>1</u> Petition for Writ of Habeas Corpus, filed by RAMON C. RUSTIN. (Attachments: # <u>1</u> Simon Declaration, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G) (Farrell, Megan) Modified on 7/22/2008. (jsp) (Entered: 07/21/2008)
07/23/2008	<u>12</u>	MOTION to Certify Class by WILMER URBINA, RUTILO ROMERO-RAMIREZ. (Attachment: # <u>1</u> Proposed Order) (Driscoll, Donald) Modified on 7/24/2008. (jsp) (Entered: 07/23/2008)
07/23/2008	<u>13</u>	ORDER re <u>1</u> Petition for Writ of Habeas Corpus filed by WILMER URBINA, RUTILO ROMERO-RAMIREZ is DENIED as moot and this action is dismissed. MOTION to Certify Class filed by WILMER URBINA is DENIED. The Clerk is to mark CASE CLOSED. Signed by Judge David S. Cercone on 7/23/08. (jmc) (Entered: 07/23/2008)
07/23/2008	<u>14</u>	CORRECTIVE ENTRY re <u>13</u> CORRECTED ORDER denying Petition for Writ of Habeas Corpus filed by WILMER URBINA, RUTILO ROMERO-RAMIREZ as moot and dismissing action. Order also denying MOTION to Certify Class filed by WILMER URBINA. (jmc) (Entered: 07/23/2008)

07/23/2008	<u>15</u>	Minute Entry for Show Cause Hearing on Petition for Writ of Habeas Corpus held before Judge David S. Cercione on 7/23/2008: Petition for Writ of Habeas Corpus denied as moot. Case dismissed. Order filed. (Court Reporter: Wenger) (jmc) (Entered: 07/23/2008)
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