

25-70 Notice of Appeal Filed

# JUDGE SMITH

GC6922-S

Jury demand date:

D. C. Form No. 106 Rev.

TITLE OF CASE		ATTORNEYS COUNSEL OF RECORD			
Romiller Williams, et al vs Hollandale Consolidated School District, J.R. Gouldin, Superintendent; James E. Moseley, Jr., Harris Peyton, Eugene Clarke, Preston D. Brooks, and T.C. Burnett, Jr., members of the Board of Trustees;  T.J. Bogue, Washington County Superintendant of Education; Leo F. Williams, Stacy Kellum, Marlowe Park, W.C. McKamy, Jr., and Dr. George Rea Walker, members of the Washington County Board of Education;  Their sucessors and all those in concert with them		For plaintiff: Kent Spriggs Michael B. Trister Alix Sanders John L. Maxey, III 108½ South Lamar Oxford, Miss. 38655  John McCreery, 109½ Johnson St., WITHDRAWN Greenwood, Miss. 38930 108½ S. Lamar, Oxford, Ms. <del>David M. Lipman, Box 1909, Greenwood, Miss.</del> James A. Lewis, 108½ S. Lamar, Oxford, Miss. Carver Randle, P.O.Box 1909, Greenwood 3869 HON. David M. Lipman 733 15th St., N.W., Suite 520 Washington, D. C. 20005  For defendant: Fred C. DeLong, Jr. (Carl Hagwood) James L. Robertson Box 895, Greenville, Miss. 38701			
J.S. 5	J.S. 6				
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed	Clerk	5-30-69	R#15998	\$15 00	
		8-25-70	R#17624	\$250 00	Appeal Bond
		8-25-70	R#17625	\$5 00	Notice of Appeal
J.S. 6 mailed	Marshal	8-11-72	** Check #	2038	\$250.00
Basis of Action: Integration of Schools	Docket fee				
	Witness fees				
Action arose at:	Depositions				

DATE	PROCEEDINGS	Date Ord Judgment
5-30-69	Filed Complaint - issued summons mailed to Marshal at Oxford	
	Mailed notices to attorneys that Judge Smith has been assigned to this case	
6-9-69	Mailed notices of hearing at Aberdeen, Miss. on June 20, 1969 at 9:00 A.M.	
6-10-69	Filed Separate Answer of Defts. T.J. Bogue, Leo F. Williams, Stacy Kellum, Marlowe Park, W.C. McKamy, Jr. and George Rea Walker (copy mailed to Lee Graves)	
6-17-69	Filed Request for Admissions (mailed copy to Lee Graves, Aberdeen)	
6-17-69	Filed returned summons ex. 6-5-69 by personally serving a copy of the summons and complaint on T.J. Bogue at Greenville; Leo Williams at Greenville; Stacy Kellum at Greenville; Marlow Park at Greenville; W.C. McKamy, Jr. at Glenn Allen and Dr. George Rea Walker at Stoneville	
6-18-69	Filed returned summons Ex.6-5-69 by personally serving James E. Mosley, Jr. at Arcola; and Harris Peyton at Hollondale; and T.C. Burnett, Jr. at Hollondale; Ex. 6-12-69 by serving Preston D. Brooks at Greenville; Ex. 6-13-69 by serving Eugene Clark at Hollondale	
6-20-69	Filed Spa. Ex. 6-17-69 at Hollondale, Miss. by serving J.R. Gouldman	
	Filed Spa. Ex. 6-17-69 at Greenville, Miss. by serving T.J. Bogue	
6-25-69	Received Opinion signed 6-24-69	
	Received and entered order signed 6-24-69 setting hearing at Greenville on August 4, 1969 at 2:00 P.M. cob 6, pg. 286.	
	Mailed notices of order with a certified copy of order by certified mail to attorneys of record	
6-26-69	Received the following pleadings from Madeleine Armstrong, D.C. which were filed in Aberdeen on 6-20-69	
6-20-69	Separate Answer of Hollondale Consolidated School District, J.R. Gouldman, James E. Moseley, Jr., Harris Peyton, Eugene Clarke, Preston D. Brooks, and T.C. Burnett, Jr. filed 6-20-69	
6-20-69	Filed Spa. Ex. 6-17-69 by serving Mrs. Lillie Mackin at Hollondale, Miss.	
	Mrs. Lela Mae Smith Mrs. Ollie Mae Swin, Mrs. Mary Lee	
	Mrs. Charlie Mae Alexander Mrs. Frankie L. Carradine Mrs. Joyce Jean Stewart	
	Mrs. Emma Lee West Mrs. Catherine Richardson Mrs. Bessie Williams	
	Mrs. Irma Jean Smith Mary Etta Powell Mrs. Lessie Mae Penn	
	Mrs. Rosie Lee Odell Mrs. Olivia Perkins Mrs. Estella S. Williams	
	Mrs. Mary E. Williams Mrs. Queen Ester Morgan Mr. John Rainey	
	Mr. P.D. Sherrod Mr. Ben Johnson Mr. W.D. Mitchell	
	Mrs. Marjorie Brown	
6-26-69	Received and entered order dismissing several party pltfs. signed on 6-25-69 cob 6, pg. 2	
	Mailed notices of order to attorneys of record	
7-14-69	Filed answer of EFC - delivered copy to Lee Graves	
7-15-69	Filed Defts' desegregation plan - mailed copy to Lee Graves	
7-16-69	Filed Defts' Motion to Substitute Stipulation and Notice of Motion - mailed copies to Lee Graves	
7-23-69	Filed Interrogatories To Defendants of the Hollondale School District	
7-23-69	Received and entered order signed 7-22-69 cob 6, pg. 350	
	Mailed notices of order to attorneys of record	
7-25-69	Filed Objections To Desegregation Plan	
7-31-69	Filed Defendant's Answer To Plaintiffs' Objections To Desegregation Plan	
	Filed Answers To Interrogatories Propounded To Defendants by Plaintiffs	
8-6-69	Received and entered order signed 8-5-69 cob 6, pg. 373-380	
	Mailed certified copies of the above order by certified mail to counsel of record	
8-27-69	Filed Motion For Leave To Proceed On Appeal in Forma Pauperis	
	Filed Affidavit in Support of Motion to Proceed on Appeal in Forma Pauperis (copies mailed to Lee Graves, Law Clerk)	
9-2-69	Received and entered order allowing Marjorie Brown to appeal in forma pauperis signed 8-29-69 cob 6, pg. 433	
9-2-69	Filed Notice of Appeal by Marjorie Brown	

D. C. 136 Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order Judgment
9-3-69	Mailed notice to the attorneys, court reporter, Clerk U.S. Court of Appeals that notice of appeal has been filed	
9-17-69	Filed Report by defts.	
10-1-69	Filed Designation of portions of transcript pursuant to F.R. App. P. 10	
10-8-69	Filed transcript of proceedings taken on Aug. 4, 1969 at 2 P.M.	
10-9-69	Filed Motion for order requiring appellant to designate entire record and for motion for an extension of time for the court reporter to transcribe record	
	Filed Notice of Motion	
10-14-69	Received and entered order signed Oct. 13, 1969 allowing the appellants to have until and including Dec. 1, 1969 to transmit record to the Court of Appeals cob 7, ph. 41	
	Mailed notices of order to attorneys, to Court Reporter and Court of Appeals	
10-15-69	Received and entered order signed 10-14-69 stating what is to be made a part of the record to go to the Fifth Circuit Court of Appeals cob 7, pg. 50.	
	Mailed notices of order to attorneys of record	
10-20-69	Received Plaintiff-Appellant's Response filed in Clarksdale on 10-13-69	
10-21-69	Received and entered order signed 10-20-69 about bus transportation cob 7, ph. 71	
	Mailed notices of order to attorneys of record	
10-22-69	Filed School Bus Transportation Report by the Washington Co. Board of Education	
11-5-69	Filed Plaintiff's Motions To Dismiss Appeal and Reconsider Desegregation Plan	
11-12-69	Received letter dated 11-10-69 from Lee Graves concerning the motion to dismiss appeal and reconsider desegregation plan	
11-24-69	Filed Stipulation of dismissal pursuant To FRAP 42(a)	
12-15-69	Notice was sent out from Oxford setting the motion for reconsideration to be heard on Jan. 9, 1970 in Oxford	
1-8-70	Filed Report of the defts.	
1-8-70	Notices were mailed from Oxford resetting the hearing on the motion for reconsideration to Thursday, Jan. 15, 1970	
1-14-70	Received and entered order signed 1-12-70 cob 7, pg. 236-240	
	Mailed notices of order with a certified copy of order by certified mail	
1-26-70	Filed motion for student desegregation in Spring Term, 1970	
1-30-70	Filed defts. response to court order of Jan. 12, 1970 and pltf's. motion for desegregation	
3-4-70	Received and entered order signed 3-2-70 overruling motion for desegregation cob 8, pg. 9	
	Mailed notices of order to attorneys of record	
3-5-70	Received and entered order signed 3-4-70 rescinding the Court's order of 3-2-70 cob 8, pg. 12	
	Mailed notices of order to attorneys of record	
7-16-70	Filed Motion To Dismiss with Notice of Motion	
	Mailed notice to counsel setting hearing for August 3, 1970 at 2 P.M. in Clarksdale	
7-22-70	Filed Notice of Appearance of Counsel (Hon. John McCreery)	
8-3-70	Filed return on spa. to testify ex. 7-30-70 at Hollandale, Miss. by serving P.D. Shirrard	
8-5-70	Received and entered order signed 8-4-70 overruling defts. motion to dismiss, overruling defts. motion for a final order granting a permanent injunction and granting certain modifications of the plan cob 8, pg. 346-347	
	Mailed notice and order by certified mail to counsel of record	
8-25-70	Filed Notice of Appeal from the order of Aug. 4, 1970	
	Received \$250.00 Cash Appeal Bond and \$5.00 Notice of Appeal Filing Fee	
	Mailed notices that appeal has been filed with copy of notice of appeal	
9-4-70	Filed transcript of proceedings taken on August 3, 1970 at Clarksdale, Miss.	
9-4-70	Mailed record to court of appeals	
9-14-70	Filed report by defendant	
	Filed designation of record	
	Mailed designation and report to Court of Appeals	

DATE	PROCEEDINGS	Da Judg
6-21-71	Filed notice of appearance and withdrawal of counsel: David M. Lipman and James A. Lewis will continue as counsel for pltfs. with other counsel for pltfs. to be withdrawn	
6-21-71	Received certified copy of Court's opinion order issued as and for the mandate on June 17, 1971; the order of the U.S. Dist. Court dated 8-4-70 is affirmed the district court shall require the school board to file semi-annual reports during the school year Received record from Court of Appeals	
6-22-71	Received supplemental record from Court of Appeals	
7-9-71	Entered Order, signed by Judge Smith on 7-8-71, directing defts. to submit reports on 12-1-71 and 4-15-72 and annually thereafter, in COB 9, pages 477-480. Mailed Notice of Entry.	
12-1-71	Filed report to the Court by defts.	
4-18-72	Filed report by defts.	
5-17-72	Filed notice of change of address on David M. Lipman 108½ S. Lamar, Oxford, Miss.	
8-4-72	Filed Motion to Return Appeal Bond with copy of motion; filed by Alix H. Sanders. Original order and copy of motion was sent to Judge by Mr. Sanders.	
8-8-72	Received and entered order signed by Judge Smith on August 7, 1972 directing the Court to return the security amount posted in appeal. Original order in COB 11, page 320. Copy of order mailed to Oxford.	
8-11-72	Issued check #2038 in amount of \$250.00 to North Mississippi Rural Legal Services in accordance with Order signed August 7, 1972.	
11-27-72	Filed Report in accordance with order of 7-11-71; filed by L. Carl Hagwood. Mr. Hagwood mailed a copy of the report to Judge Smith.	
4-13-73	Filed Report, pursuant to Order of Court dated 7-8-71; filed by L. Carl Hagwood.	
5-31-73	Filed Notice of Motion and Motion To Modify Order; filed by Carl Hagwood. Copy of both notice and motion mailed to Luke Dove.	
6-8-73	Filed Notice Of Appearance Of Counsel: Carver Randle, North Miss. Rural Legal Services, P. O. Box 1909, Greenwood, Miss. 38690. Copy to Luke Dove.	
7-16-73	Received from Judge Smith's office: Copy of letter dated July 2, 1973 from David Lipman and copy of letter dated July 6, 1973 from Fred C. DeLong, Jr.	
7-16-73	Received and entered Consent Order signed by Judge Smith on 7-11-73 modifying Court's order of August 4, 1970. COB 13, page 240-241. Mailed notice of Order to attys. of record.	
7-31-73	Filed Notice Of Withdrawal Of Counsel: David M. Lipman being replaced by Carver Randle, P. O. Box 1909, Greenwood, Miss. 38930.	
12-13-73	Filed Report in compliance with Order rendered on 7-8-71.	
4-10-74	Filed Report, in compliance with Order of 7-8-71.	
10-2-74	Filed Report in compliance with Order of 7-11-71; filed by L. Carl Hagwood. Copy to Judge Smith.	
4-14-75	Filed Report in accordance with order of 7-8-71; filed by; Carl Hagwood.	
12/1/75	Filed Report	
4-6-76	Filed Report in accordance with order of 7-8-71.	
11-23-76	Filed Report in accordance with order of 7-8-71.	
4/4/77	Filed Report in accordance with order of 7/8/71 with affidavit of J. R. Gouldman attached	
5/30/77	Filed Notice of Motion	
5/30/77	Filed Motion To Modify Order. Copy Mailed to Judge Smith Law Clerk	
6-17-77	Rec'd and entered Order sustaining defts' motion to modify Court's Order of 8-5-69, signed by Judge Smith on 6-16-77. COB 24, pg. 92. Mailed notice of entry of order to attys.	
11-18-77	Fld. Report in accordance with order of 7-8-71.	
2-21-78	Fld. Not. and Mot. to Modify Order, fld. by Carl Hagwood.	
3/24/78	Fld formal withdrawal of David M. Lipman as counsel in this case; North Miss. Rural Legal Services, Box 826, Oxford MS 38655 substituted	

PLAINTIFF	DEFENDANT	DOCKET NO. _____
		PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
4-3-78		Fld. Not. of Appearance: on behalf of pltf, Isaiah Madison, Box 858, Greenville, MS 38701.
4-4-78		Fld. Report of Hollandale Consolidated School District.
4-13-78		Ent. Order, dated 4-10-78, sust. defts' mot. for modification of court's order of 8-5-69. COB 26, page 281. Mld. not. of ent. Mld. by certified mail a copy of order to attys as directed in said order.
12-1-78		Fld. Report, in compliance with order of 7-8-71.
4-17-79		REPORT, in compliance with order of 7-8-71.
12-7-79		REPORT, in accordance with Order of 7-8-71.
4-15-80		REPORT, in accordance with Order of 7-8-71.
12/15/80		Report to the Court , in accordance with Order 7/8/71,
4-16-81		REPORT to court in accordance w/court order rendered 7-8-71.
5-18-81		Mailed Notice to counsel to remove bulky exhibits w/in 10 days and maintain same in their possession.
12-2-81		REPORT in compliance with order of 7-8-71.
4-27-82		REPORT in compliance with order of 7-8-71.
4-28-83		REPORT in compliance with order of 7-8-71.
12-8-83		REPORT in complinace w/order of 7-8-71.
3-28-84		REPORT " " " "