

Hadix v. Caruso

United States District Court for the Western District of Michigan, Southern Division

July 13, 2006, Decided

Case No. 4:92-CV-110

Reporter: 2006 U.S. Dist. LEXIS 47663

EVERETT HADIX, et al., Plaintiffs, v. PATRICIA CARUSO, et al., Defendants.

Subsequent History: Appeal denied by, Affirmed by Hadix v. Caruso, 2006 U.S. Dist. LEXIS 72008 (W.D. Mich., Oct. 2, 2006)

Prior History: Hadix v. Caruso, 2006 U.S. Dist. LEXIS 46818 (W.D. Mich., June 30, 2006)

Counsel: [*1] For Everett Hadix, Richard Mapes, Patrick C. Sommerville, Roosevelt Hudson, Jr., Brent E. Koster, Lee D. McDonald, Darryl Sturges, Robert Flemster, William Lovett, James Covington, Frank Thomas, James Haddix, James Alexander, Al Buttons, James Chipman, Perry Alan Davis, Mark Lemothe, Cylester Nunnally, Ted Rhode, Orvel Simmons, Ted Sullivan, Mark A. Coleman, Danny Walker, plaintiffs: Elizabeth Alexander, National Prison Project of the ACLUF, Washington, DC.; Michael Barnhart, Patricia A. Streeter, Ann Arbor, MI.

For Barry Mintzes, Charles Anderson, William F. Grant, Dale Foltz, Daniel Trudell, Duane Sholes, John Jabe, James Pogats, Roy Rider, Charles Ustess, Don P. Leduc, Robert Brown, Jr., Graham Allen, Elton I. Scott, Pamela Withrow, Frank Elo, Marjorie Van Ochten, John Prelesnik, Patricia L. Caruso, defendants: A. Peter Govorchin, Leo H. Friedman, MI Dept Attorney General (Corrections), Corrections Division, Lansing, MI.

For USA, defendant: A. Peter Govorchin, MI Dept Attorney General (Corrections), Corrections Division, Lansing, MI.

Ronald Kovalski # 213896, movant, Pro se, Parnall Correctional Facility, Jackson, MI.

Richard Thompson # 311040, movant, Pro se, [*2] Marquette Branch Prison, Marquette, MI.

Ronald L. Jordan # 125764, movant, Pro se, Marquette Branch Prison, Marquette, MI.

For Special Master, unknown: F. Warren Benton, Court Monitor, Larchmont, NY.

Diane Hartmus, unknown, Pro se, Peekskill, NY.

Robert L. Cohen, MD, Medical Monitor, unknown, Pro se, New York, NY.

Melvin Smith # 167153, movant, Pro se, State Prison Of Southern Michigan, Jackson, MI.

James C. Reilly # 203296, movant, Pro se, Parnall Correctional Facility, Jackson, MI.

James Charles Cannon # 237039, movant, Pro se, Parnall Correctional Facility, Jackson, MI.

Wellington L. Drake # 229939, movant, Pro se, Parnall Correctional Facility, Jackson, MI.

Mark H. Roberts # 197305, named as Charles M.H. Roberts, movant, Pro se, Parnall Correctional Facility, Jackson, MI.

William T. Mears # 180220, movant, Pro se, Parnall Correctional Facility, Jackson, MI.

Albert Eugene McKinley # 177679, movant, Pro se, Parnall Correctional Facility, Jackson, MI.

Avis A. Fee # 265115, movant, Pro se, Parnall Correctional Facility, Jackson, MI.

Judges: Richard Alan Enslen, Senior United States District Judge.

Opinion by: Richard Alan Enslen

Opinion

[*3] **ORDER**

In accordance with the Court's rulings of July 12, 2006;

IT IS HEREBY ORDERED that the evidentiary hearing scheduled for October 11-13, 2006 shall commence as earlier scheduled.

IT IS FURTHER ORDERED that such hearing will consider as a priority matter medical care issues, which may include requests by Plaintiffs for injunctive relief; and before consideration of other issues, such as termination of Consent Decree provisions.

IT IS FURTHER ORDERED that all issues not presented at such hearing will be heard at a later hearing, not to exceed two days in length, which will be later

scheduled by notice of this Court for a date or dates within 45
days of October 13, 2006.

/s/ Richard Alan Enslen

Dated in Kalamazoo, MI:

Senior United States District Judge

July 13, 2006