

**U.S. District Court  
Southern District of Georgia (Augusta)  
CIVIL DOCKET FOR CASE #: 1:77-cv-00056-DHB**

Rogers, et al v. Webster, et al  
Assigned to: Judge Dudley H. Bowen  
Demand: \$0  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 04/28/1977  
Date Terminated: 05/02/1978  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**David Rogers**

represented by **Charles L. Wilkinson , III**  
Wilkinson & Magruder, LLP  
1058 Claussen Road  
Suite 108  
Augusta, GA 30907  
706-737-0771  
Fax: 706-737-0591  
Email: [wilky@gabn.net](mailto:wilky@gabn.net)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Robert William Cullen**  
545 North McDonough Street  
Suite 212  
Decatur, GA 30030  
404-377-9894  
Fax: 404-870-3541  
Email: [robertcullenpc@mindspring.com](mailto:robertcullenpc@mindspring.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Maddlyn Johnson**

*on behalf of themselves and all others  
similarly situated*

represented by **Charles L. Wilkinson , III**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Robert William Cullen**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Charles B. Webster**

*Sheriff of Richmond County, Georgia*

represented by **James B. Wall**  
Wall Ellison, LLP  
P.O. Box 2125  
Augusta, GA 30903-2125  
706-722-0768  
Fax: 706-722-5984  
Email: [jbwall@wallellison.com](mailto:jbwall@wallellison.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Harry D. Revell**  
Nicholson Revell, LLP  
4137 Columbia Rd.  
Augusta, GA 30907

706-722-8784  
Fax: 706-722-6495  
Email: [harry@nicholsonrevell.com](mailto:harry@nicholsonrevell.com)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Charles Toole**  
*Chief Jailor, Richmond County Jail*

represented by **James B. Wall**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Harry D. Revell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Larry E. Sconyers**  
*in his official capacity as Mayor of  
Augusta-Richmond County, Georgia*

represented by **James B. Wall**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Harry D. Revell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Lee Beard**

represented by **James B. Wall**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Harry D. Revell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Ulmer Bridges**

represented by **James B. Wall**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Harry D. Revell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Jerry Brigham**

represented by **James B. Wall**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Harry D. Revell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Henry H. Brigham**

represented by **James B. Wall**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Harry D. Revell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**William B. Kuhlke, Jr.**

represented by **James B. Wall**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Harry D. Revell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**William H. Mays, II**

represented by **James B. Wall**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Harry D. Revell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**J. B. Powell**

represented by **James B. Wall**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Harry D. Revell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Moses Todd**

represented by **James B. Wall**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Harry D. Revell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Robert Zetterberg**  
*in their official capacity as as members of*  
*the Augusta–Richmond County*  
*Commission*

represented by **James B. Wall**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Harry D. Revell**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Daniel J. Craig**  
*District Attorney for the Augusta Judicial*  
*Circuit*

represented by **Neal B. Childers**  
Dept. of Motor Vehicle Safety  
P.O. Box 80447  
Conyers, GA 30013  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
04/28/1977	1	COMPLAINT and Order to proceed in forma pauperis. (bmm) (Entered: 10/17/1996)
05/02/1978		Case closed (bmm) (Entered: 10/17/1996)
10/16/1996		See manual docket sheet for docket entries. (bmm) Modified on 10/17/1996 (Entered: 10/17/1996)
10/16/1996	171	ORDER substituting the current governing body of Richmond County as the proper party defts. ( signed by Judge Dudley H. Bowen Jr. ); copies served. (bmm) (Entered: 10/17/1996)
10/21/1996	172	ORDER directing transfer of prisoners and hiring of additional staff; report to be furnished to Court. ( signed by Judge Dudley H. Bowen Jr. ); copies served. (bmm) (Entered: 10/21/1996)
10/21/1996	173	ORDER directing the establishment of a Detention council by 11/1/96; periodic reports to be furnished to the Court ( signed by Judge Dudley H. Bowen Jr. ); copies served. (bmm) (Entered: 10/21/1996)
10/28/1996	174	TRANSCRIPT of hearing on the overcrowding and what might be done to alleviate it for dates of 10/15/96. (llh) (Entered: 10/29/1996)
09/12/1997	175	MOTION by David Rogers, Maddlyn Johnson to Show Cause why further relief should not be granted and why dfts should not be held in contempt with brief in support. (esf) (Entered: 09/12/1997)
09/12/1997	176	ORDER allowing Charles L. Wilkinson, III, atty for pltfs, to take a video camera into the jail facilities at the Joint Law Enforcement Center and be permittd to video any of the floors, the individual rooms in the facility, the guard towers, the recreational facilities, the showers and other such places within the Joint Law Enforcement Center as he deems necessary to show this Court the status and condition of the facility; he will keep custody of the video tape until a hearing is held before this Court and shall not make any reproductions of the tape unless otherwise directed by this Court ( signed by Chief Judge Dudley H. Bowen Jr ); copies served. (esf) (Entered: 09/15/1997)
09/12/1997	177	ORDER granting [175-1] motion to Show Cause why further relief should not be granted and why dfts should not be held in contempt, set Show Cause Hearing for 1:00 9/25/97 before Chief Judge Dudley H. Bowen Jr ( signed by Chief Judge Dudley H. Bowen Jr ); copies served. (esf) (Entered: 09/15/1997)
09/23/1997	178	ORDER FOR THE PRODUCTION OF WITNESSES directing Sheriff charles Webster and Chief Charles Toole produce Alonzo Abrams, Hazel Stevens, Eugenia Jackson, Clifford Hardy, Hosea Allen and Odell James at the hearing scheduled for 9/25/97 at 1:00 ( signed by Magistrate Judge W. Leon Barfield ); copies served. (esf) (Entered: 09/23/1997)
09/23/1997	178	MOTION/REQUEST by David Rogers, Maddlyn Johnson FOR ORDER FOR PRODUCTION OF WITNESSES with brief in support. (esf) (Entered: 09/25/1997)
09/23/1997	179	ORDER granting [178-1] motion FOR ORDER FOR PRODUCTION OF WITNESSES; directing Sheriff Charles Webster and Chief Charles Toole produce the persons of Alonzo Abrams, Hazel Stevens, Eugenia Jackson, Clifford Hardy, Hosea Allen and Odell James at the hearing scheduled for 9/25/97 ( signed by Magistrate Judge W. Leon Barfield ); copies served. (esf) (Entered: 09/25/1997)
09/25/1997	181	Witness and Exhibit list by David Rogers, Maddlyn Johnson, Charles B. Webster, Charles Toole, Larry E. Sconyers, Lee Beard, Ulmer Bridges, Jerry Brigham, Henry H. Brigham, William B. Kuhlke Jr., William H. Mays II, J. B. Powell, Moses Todd, Robert Zetterberg, Daniel J. Craig (esf) (Entered: 09/30/1997)
09/25/1997		Evidentiary Hearing held; the Court directed that daily jail reports be submitted by fax to the Court until further directed. Additional testimony to be received at

		hearing to be set. Court Reporter: D. Dueringer (esi) (Entered: 10/03/1997)
09/26/1997		Evidentiary Hearing held; Finding of the Court entered. Written order to follow. Court Reporter: D. Dueringer (esi) (Entered: 10/03/1997)
09/29/1997	180	ORDER directing that the Sheriff of Richmond County and the Mayor and Commission of Richmond County shall maintain the following maximum inmate population at the Richmond County Jail within the Joint Law Enforcement Center: from 9/29/97 until 10/6/97-500 inmates, from 10/7/97 until 10/20/97-480 inmates, from 10/21/97 until 11/30/97-460 inmates, from 12/01/97 forward-340 inmates; a program for maintaining a clean environment at the jail be developed and presented to this Court by 5:00 p.m. on 10/01/97; that a program for improving the operational maintenance of the jail facility be developed and presented to this Court by 5:00 p.m. 10/01/97; that the Defendants provide a daily report of the inmate population level to this Court until directed otherwise. ( signed by Chief Judge Dudley H. Bowen Jr ); copies served. (esf) (Entered: 09/29/1997)
09/30/1997		Certificate of Exhibit Custodian forwarded to Sue Ingram. (esf) (Entered: 09/30/1997)
10/01/1997	182	RESPONSE TO ORDER by defendant Charles B. Webster, defendant Charles Toole, in reference to [180-1] order (esf) (Entered: 10/01/1997)
10/10/1997	183	MOTION by David Rogers, Maddlyn Johnson for Interim Attorney Fees with brief in support. (esf) (Entered: 10/10/1997)
11/12/1997	184	ORDER granting [183-1] motion for Interim Attorney Fees; defendants to pay Charles L. Wilkinson, III the sum of \$13,264.50 ( signed by Chief Judge Dudley H. Bowen Jr ); copies served. (esf) (Entered: 11/12/1997)
12/19/1997	<u>185</u>	MOTION by Robert Zetterberg, Moses Todd, J. B. Powell, William H. Mays II, William B. Kuhlke Jr., Henry H. Brigham, Jerry Brigham, Ulmer Bridges, Lee Beard, Larry E. Sconyers, Charles Toole, Charles B. Webster to Dismiss and close case with brief in support. (esf) Additional attachment(s) added on 6/20/2005 (web). (Entered: 12/19/1997)
12/19/1997	<u>186</u>	MEMORANDUM by Robert Zetterberg, Moses Todd, J. B. Powell, William H. Mays II, William B. Kuhlke Jr., Henry H. Brigham, Jerry Brigham, Ulmer Bridges, Lee Beard, Larry E. Sconyers, Charles Toole, Charles B. Webster in support of [185-1] motion to Dismiss and close case by defendant (esf) Additional attachment(s) added on 6/20/2005 (web). (Entered: 12/19/1997)
12/19/1997	<u>187</u>	AFFIDAVIT by Charles Toole Re: [185-1] motion to Dismiss and close case by defendant (esf) Additional attachment(s) added on 6/20/2005 (web). (Entered: 12/19/1997)
01/06/1998	188	RESPONSE by Maddlyn Johnson, David Rogers to [185-1] motion to Dismiss and close case by defendant (esf) (Entered: 01/07/1998)
01/13/1998	<u>189</u>	ORDER TO SHOW CAUSE WHY THIS COURT SOULD NOT CLOSE AND DISMISS THIS CASE: Show Cause Hearing set for 10:00 2/2/98 in Courtroom #2 USDC Augusta; further ordering Plaintiffs' class counsel to submit a final statement of professional services prior to the hearing ( signed by Chief Judge Dudley H. Bowen Jr ); copies served. (esf) Additional attachment(s) added on 6/20/2005 (web). (Entered: 01/14/1998)
01/29/1998	<u>190</u>	MOTION by Maddlyn Johnson, David Rogers for Attorney Fees with brief in support. (esf) Additional attachment(s) added on 6/20/2005 (web). (Entered: 01/29/1998)
01/30/1998	<u>191</u>	MOTION/APPLICATION by Maddlyn Johnson, David Rogers for Final Attorney Fees with brief in support. (esf) Additional attachment(s) added on 6/20/2005 (web). (Entered: 02/02/1998)
02/02/1998		Motion hearing held re: [191-1] motion for Final Attorney Fees by David Rogers, Maddlyn Johnson; [190-1] motion for Attorney Fees by David Rogers, Maddlyn Johnson; [185-1] motion to Dismiss and close case by defendant; Motion for atty fees by L. Wilkinson GRANTED, motion for atty fees by R. Cullen, ruling

		reserved; motion to dismiss GRANTED. Order to enter. Court Reporter: D. Dueringer (esi) (Entered: 02/02/1998)
02/02/1998	<u>192</u>	ORDER granting [191-1] motion for Final Attorney Fees, Defendants are Ordered to pay Charles L. Wilkinson III, the sum of \$2,317.50; Plaintiffs' Counsel, Robert W. Cullen's Application for Attorney's Fees is Deferred, with the Court retaining jurisdiction of that matter alone; granting [185-1] motion to Dismiss and close case ( signed by Chief Judge Dudley H. Bowen Jr ); copies served. (esf) Additional attachment(s) added on 6/20/2005 (web). (Entered: 02/03/1998)
02/02/1998		Case closed (esf) (Entered: 02/03/1998)
02/02/1998	<u>193</u>	Exhibit list by Daniel J. Craig, Robert Zetterberg, Moses Todd, J. B. Powell, William H. Mays II, William B. Kuhlke Jr., Henry H. Brigham, Jerry Brigham, Ulmer Bridges, Lee Beard, Larry E. Sconyers, Charles Toole, Charles B. Webster (esf) Additional attachment(s) added on 6/20/2005 (web). (Entered: 02/03/1998)
02/06/1998	<u>194</u>	ORDER granting [190-1] motion for Attorney Fees. Defendants are ordered to pay Robert W. Cullen the sum of \$2,285.74 as attorney's fees and costs ( signed by Chief Judge Dudley H. Bowen Jr ); copies served. (esf) Additional attachment(s) added on 6/20/2005 (web). (Entered: 02/09/1998)
07/23/1998	195	RECEIPT FOR DEFENDANT'S EXHIBITS (esf) (Entered: 07/23/1998)
07/28/1998	196	RECEIPT FOR PLAINTIFF'S EXHIBITS (esf) (Entered: 07/28/1998)
02/22/2000		Record transferred to the FRC. Group #021, Accession # 021-00-0215, Box # 1 of 20, Location # J0240823SAN (cmk) (Entered: 02/22/2000)
03/11/2010	<u>197</u>	Receipt for Exhibits as to Defendants. (thb) (Entered: 03/11/2010)