

CLOSED

**U.S. District Court
Western District of Louisiana (Shreveport)
CIVIL DOCKET FOR CASE #: 5:65-cv-11304-SMH-MLH**

Banks et al v. Claiborne Parish
Assigned to: Judge S Maurice Hicks
Referred to: Magistrate Judge Mark L Hornsby
Cause: 28:1343 Violation of Civil Rights

Date Filed: 08/10/1965
Date Terminated: 06/22/1970
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Grant K Banks
on behalf of
Yvornia Decarol Banks
on behalf of
Mike Kensey Banks
on behalf of
Lavern Banks

represented by **Margrett Ford**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

George Dodd
on behalf of
Jerry Lee Wafer
on behalf of
Tommy Lee Wafer
on behalf of
Betty Jean Willis

represented by **Margrett Ford**
(See above for address)
LEAD ATTORNEY
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V.

Intervenor Plaintiff

USA

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V.

Defendant

School Board of Claiborne Parish

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V.

Movant

**Northeast Claiborne Charter School
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also known as
Cajun Butterflies Inc

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Date Filed	#	Docket Text
06/19/2006	<u>1</u>	PAPER DOCKET SHEET of filings through 6/19/2006. (crt,Yocum, M) (Entered: 06/19/2006)
09/20/2006	<u>2</u>	ANNUAL REPORT (crt,Wormser, C) (Entered: 09/21/2006)

09/24/2007	<u>3</u>	ANNUAL REPORT by School Board of Claiborne Parish. (crt,Brown, A) (Entered: 09/25/2007)
03/28/2008	<u>4</u>	MOTION for ROBERT L. HAMMONDS & JON K. GUICE to Enroll as Counsel by School Board of Claiborne Parish. Motions referred to Mark L Hornsby. (aty,Hammonds, Robert) Modified on 3/31/2008 to reflect order included within pdf of main document (Reasor, M). (Entered: 03/28/2008)
04/03/2008	<u>5</u>	ORDER granting <u>4</u> Motion to Enroll as Counsel. Added as counsel Jon Keith Guice and Robert L Hammonds for School Board of Claiborne Parish. Signed by Magistrate Judge Mark L Hornsby on 4/3/2008. (crt,Reasor, M) (Entered: 04/04/2008)
04/11/2008	<u>6</u>	MOTION to Substitute Attorney Janice E. Hebert and Iris Goldschmidt in place of Donald W. Washington by U S A. Motions referred to Mark L Hornsby. (Attachments: # <u>1</u> Text of proposed order)(aty,Hebert, Janice) (Entered: 04/11/2008)
04/15/2008	<u>8</u>	ORDER granting <u>6</u> Motion to Substitute Attorney. Attorney Janice E Hebert and Iris Goldschmidt added. Attorney Donald W Washington terminated. Signed by Magistrate Judge Mark L Hornsby on 4/15/2008. (crt,Keifer, K) (Entered: 04/17/2008)
04/16/2008	<u>7</u>	MOTION to Alter Judgment <i>for Authorization to Close Pineview School and Change Remaining School Attendance Zones</i> by School Board of Claiborne Parish. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Memorandum / Brief, # <u>6</u> Text of proposed order)(aty,Hammonds, Robert) Modified on 4/18/2008 to edit text (Keifer, K). (Entered: 04/16/2008)
04/30/2008	<u>9</u>	ORDER granting <u>7</u> Motion to Alter Judgment. Beginning with the 2008–2009 school year, Pineview School shall be closed and the students who would have attended that school shall be reassigned to the schools in Homer and Summerfield in accordance with this Order. Signed by Judge S Maurice Hicks on 4/30/2008. (crt,Keifer, K) (Entered: 04/30/2008)
09/30/2008	<u>10</u>	ANNUAL REPORT by School Board of Claiborne Parish. (crt,Keifer, K) (Entered: 09/30/2008)
06/10/2009	<u>11</u>	DEFICIENT Joint MOTION for Approval of Agreed Order of Modification by School Board of Claiborne Parish, USA. Motions referred to Mark L Hornsby. (Attachments: # <u>1</u> Agreed Order of Modification, # <u>2</u> Exhibits, # <u>3</u> Exhibits)(aty,Hammonds, Robert) Modified on 6/11/2009 to reflect deficient status (Keifer, K). Modified on 6/11/2009 to remove ?; motion refiled in its entirety as <u>13</u> (Keifer, K). (Entered: 06/10/2009)
06/11/2009	<u>12</u>	NOTICE of Deficiency to Robert L Hammonds on behalf of School Board of Claiborne Parish, USA regarding <u>11</u> Joint Motion for Approval of Agreed Order of Modification. Reason: This document is not accompanied by a certificate of service. (crt,Keifer, K) (Entered: 06/11/2009)
06/11/2009	<u>13</u>	Joint MOTION for Approval of Agreed Order of Modification by School Board of Claiborne Parish, USA. Motions referred to Mark L Hornsby. (Attachments: # <u>1</u> Proposed Agreed Order of Modification, # <u>2</u> Exhibits, # <u>3</u> Exhibits)(aty,Hammonds, Robert) Modified on 6/11/2009 to edit text (Keifer, K). (Entered: 06/11/2009)
06/11/2009		Motions Transferred regarding <u>13</u> Joint MOTION for Approval of Agreed Order of Modification. Motions referred to S Maurice Hicks. (crt,Keifer, K) (Entered: 06/11/2009)
06/30/2009	<u>14</u>	**VACATED AND LIFTED** AGREED ORDER OF MODIFICATION granting <u>13</u> Motion for Approval of Agreed Order of Modification. Signed by Judge S Maurice Hicks on 6/30/2009. (crt,Keifer, K) Modified on 6/4/2014 to reflect order as vacated and lifted per <u>34</u> Judgment. (Putch, A) (Entered: 06/30/2009)
09/08/2009	<u>15</u>	Joint MOTION for Modification of Agreed Order re <u>14</u> Agreed Order of Modification by School Board of Claiborne Parish, USA. Motions referred to Mark

		L Hornsby. (Attachments: # <u>1</u> Text of proposed order)(aty,Hammonds, Robert) Modified on 9/8/2009 to edit text (Keifer, K). (Entered: 09/08/2009)
09/08/2009		Motions Transferred regarding <u>15</u> Joint MOTION for Modification of Agreed Order re <u>14</u> Agreed Order. Motions referred to S Maurice Hicks. (crt,Keifer, K) (Entered: 09/08/2009)
09/09/2009	<u>16</u>	**VACATED AND LIFTED** ORDER granting <u>15</u> Motion for Modification of Agreed Order. Signed by Judge S Maurice Hicks on 9/9/2009. (crt,Keifer, K) Modified on 6/4/2014 to reflect pleading as vacated and lifted per <u>34</u> Judgment. (Putch, A) (Entered: 09/09/2009)
09/29/2009	<u>17</u>	ANNUAL REPORT by School Board of Claiborne Parish as required by Order dated 6/22/1970 re <u>14</u> Agreed Order of Modification. (Attachments: # <u>1</u> Exhibit – Part 1, # <u>2</u> Exhibit – Part 2, # <u>3</u> Exhibit – Part 3, # <u>4</u> Notice of manual attachment)(crt,Keifer, K) (Entered: 09/29/2009)
09/30/2010	<u>18</u>	ANNUAL STATUS REPORT by School Board of Claiborne Parish. (Attachments: # <u>1</u> Exhibits A–B, # <u>2</u> Exhibits C–E, # <u>3</u> Exhibit F, # <u>4</u> Exhibits G–K)(aty,Hammonds, Robert) Modified on 10/1/2010 to edit text (Smith, C). (Entered: 09/30/2010)
10/26/2011	<u>19</u>	STATUS REPORT – <i>Annual October Report</i> by School Board of Claiborne Parish. (Attachments: # <u>1</u> Exhibits A–B, # <u>2</u> Exhibit C, # <u>3</u> Exhibits D–J, # <u>4</u> Exhibit K)(aty,Hammonds, Robert) (Entered: 10/26/2011)
04/30/2012	<u>20</u>	MOTION to Substitute Attorney Katherine W. Vincent in place of Janice E. Hebert by USA. Motions referred to Mark L Hornsby. (Attachments: # <u>1</u> Text of proposed order)(aty,Hebert, Janice) (Entered: 04/30/2012)
05/02/2012	<u>21</u>	ORDER granting <u>20</u> Motion to Substitute Attorney Katherine W. Vincent in place of Janice E. Hebert by USA. Attorney Janice E Hebert terminated. Signed by Magistrate Judge Mark L Hornsby on 5/2/2012. (crt,Putch, A) (Entered: 05/03/2012)
07/19/2012	<u>22</u>	Unopposed MOTION for Authorization to Close Athens High School by School Board of Claiborne Parish. Motions referred to Mark L Hornsby. (Attachments: # <u>1</u> Text of proposed order)(aty,Hammonds, Robert) (Entered: 07/19/2012)
07/19/2012		Motions Transferred regarding <u>22</u> Unopposed MOTION for Authorization to Close Athens High School. Motions referred to S Maurice Hicks. (crt,Whidden, C) (Entered: 07/19/2012)
07/24/2012	<u>23</u>	ORDER granting <u>22</u> Unopposed Motion for Authorization to Close Athens High School and to reassign the affected students to the appropriate schools in the Homer attendance zone effective school year 2012–2013. Signed by Judge S Maurice Hicks on 7/24/12. (crt,Whidden, C) (Entered: 07/25/2012)
10/23/2012	<u>24</u>	STATUS REPORT by School Board of Claiborne Parish. (Attachments: # <u>1</u> Exhibits A–B, # <u>2</u> Exhibit C, # <u>3</u> Exhibit D–G, # <u>4</u> Exhibits H–J, # <u>5</u> Exhibit K)(aty,Hammonds, Robert) (Entered: 10/23/2012)
05/07/2014	<u>25</u>	MOTION for Declaration of Unitary Status , MOTION to Dismiss by School Board of Claiborne Parish. Motions referred to Mark L Hornsby. (Attachments: # <u>1</u> Exhibit 1, pt. A, # <u>2</u> Exhibit 1, pt. B, # <u>3</u> Exhibit 1, pt. C, # <u>4</u> Exhibits 2–3, # <u>5</u> Exhibits 5–7, # <u>6</u> Exhibits 8–9, # <u>7</u> Exhibits 10–13, # <u>8</u> Exhibit 14, # <u>9</u> Exhibit 15, pt. A, # <u>10</u> Exhibit 15, pt. B, # <u>11</u> Exhibit 15, pt. C, # <u>12</u> Exhibit 15, pt. D, # <u>13</u> Exhibit 15, pt. E, # <u>14</u> Exhibit 15, pt. F, # <u>15</u> Memorandum in Support, # <u>16</u> Table of Contents, # <u>17</u> Table of Authorities)(aty,Hammonds, Robert) Modified on 5/7/2014 to indicate Sealed Exhibit 4 filed as Doc <u>26</u> . (Putch, A) (Entered: 05/07/2014)
05/07/2014	<u>26</u>	SEALED DOCUMENT: Exhibit 4 – Under Seal by School Board of Claiborne Parish re <u>25</u> MOTION for Declaration of Unitary Status MOTION to Dismiss. (aty,Hammonds, Robert) (Entered: 05/07/2014)
05/07/2014	<u>27</u>	NOTICE of Motion Setting regarding <u>25</u> MOTION for Declaration of Unitary Status, MOTION to Dismiss. Motions referred to S Maurice Hicks. (crt,Putch, A)

		(Entered: 05/07/2014)
05/20/2014	<u>28</u>	MOTION for Leave to File Motion to Intervene and Motion for Authorization to Operate a Charter School in Claiborne Parish <i>with certificate of service</i> by Northeast Claiborne Charter School, Inc. Motions referred to Mark L Hornsby. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Proposed Pleading, # <u>3</u> Affidavit, # <u>4</u> Affidavit of understanding, # <u>5</u> Proposed Exhibit A, # <u>6</u> Proposed Exhibit B, # <u>7</u> Rule 2.08 Certificate, # <u>8</u> Proposed Order, # <u>9</u> Proposed Pleading Memorandum, # <u>10</u> Affidavit, # <u>11</u> Affidavit, # <u>12</u> Proposed Exhibit A, # <u>13</u> Proposed Exhibit B, # <u>14</u> Proposed Exhibit C, # <u>15</u> Proposed Exhibit D, # <u>16</u> Proposed Exhibit E, # <u>17</u> Proposed Exhibit F, # <u>18</u> Proposed Exhibit G, # <u>19</u> Proposed Exhibit H, # <u>20</u> Proposed Exhibit I, # <u>21</u> Proposed Exhibit J, # <u>22</u> Proposed Exhibit K, # <u>23</u> Proposed Exhibit L, # <u>24</u> Proposed Exhibit M)(Attorney Wendy E W Giovingo added to party Northeast Claiborne Charter School, Inc.(pty:mov))(aty,Giovingo, Wendy) Modified on 5/21/2014 to edit text. (Putch, A) Modified on 5/23/2014 to more accurately identify the pleading submitted. (Putch, A) (Entered: 05/20/2014)
05/22/2014	<u>29</u>	ORDER: Considering the foregoing <u>28</u> Motion for Leave to File Motion to Intervene and Motion for Authorization to Operate a Charter School in Claiborne Parish: IT IS ORDERED that said Motion is hereby GRANTED and Northeast Claiborne Charter School is hereby granted leave to file its Motion to Intervene and Motion for Authorization to Operate a Charter School in Claiborne Parish. Signed by Judge S Maurice Hicks on 5/22/2014. (crt,Putch, A) Modified on 5/23/2014 to edit text. (Putch, A) (Entered: 05/23/2014)
05/22/2014	<u>30</u>	MOTION to Intervene and Motion for Authorization to Operate a Charter School in Claiborne Parish by Northeast Claiborne Charter School Inc. Motions referred to Mark L Hornsby. (Attachments: # <u>1</u> Motion Exhibit–Affidavit of Alvin Kelly, # <u>2</u> Motion Exhibit–Affidavit of Jeff Mason, # <u>3</u> Motion Exhibit A, # <u>4</u> Motion Exhibit B, # <u>5</u> Rule 2.08 Certificate, # <u>6</u> Memorandum / Brief, # <u>7</u> Memorandum Exhibit–Affidavit of Alvin Kelly, # <u>8</u> Memorandum Exhibit–Affidavit of Jeff Mason, # <u>9</u> Memorandum Exhibit A, # <u>10</u> Memorandum Exhibit B, # <u>11</u> Memorandum Exhibit C, # <u>12</u> Memorandum Exhibit D, # <u>13</u> Memorandum Exhibit E, # <u>14</u> Memorandum Exhibit F, # <u>15</u> Memorandum Exhibit G, # <u>16</u> Memorandum Exhibit H, # <u>17</u> Memorandum Exhibit I, # <u>18</u> Memorandum Exhibit J, # <u>19</u> Memorandum Exhibit K, # <u>20</u> Memorandum Exhibit L, # <u>21</u> Memorandum Exhibit M, # <u>22</u> Proposed Order)(crt,Putch, A) (Entered: 05/23/2014)
05/23/2014	<u>31</u>	NOTICE of Motion Setting regarding <u>30</u> MOTION to Intervene and Motion for Authorization to Operate a Charter School in Claiborne Parish. Motions referred to S Maurice Hicks. (crt,Putch, A) (Entered: 05/23/2014)
05/28/2014	<u>32</u>	RESPONSE to Motion re <u>25</u> MOTION for Declaration of Unitary Status MOTION to Dismiss filed by School Board of Claiborne Parish. (aty,Vincent, Katherine) (Entered: 05/28/2014)
06/03/2014	<u>33</u>	MEMORANDUM ORDER: Before the Court is <u>30</u> Motion to Intervene and Motion for Authorization to Operate a Charter School in Claiborne Parish. Such authorization is, however, subject to this Courts approval because Claiborne Parish is under a Desegregation Order. Simultaneously with the instant Memorandum Order, this Court will enter a Judgment granting the <u>25</u> Motion for Declaration of Unitary Status and to Dismiss. Accordingly, IT IS ORDERED that the <u>30</u> Motion to Intervene and Motion for Authorization to Operate a Charter School in Claiborne Parish be and is hereby DENIED AS MOOT, as the NECC will no longer need this Courts approval to operate a charter school in Claiborne Parish. Signed by Judge S Maurice Hicks on 06/03/2014. (crt,McDonnell, D) Modified on 6/4/2014 to edit text. (Putch, A) (Entered: 06/04/2014)
06/03/2014	<u>34</u>	JUDGMENT: Before the Court is a <u>25</u> Motion for Declaration of Unitary Status and to Dismiss filed by Claiborne Parish School Board. The Plaintiff–Intervenor U S A filed a response, stating it does not oppose the motion. After a review of the motion and the memorandum and exhibits in support thereof, the Court finds that the School Board has fulfilled the requirements in Green v. County School Board of New Kent County, Virginia, et al. The School Board, having acted in accordance with the orders of this Court and in compliance with applicable legal principles, has eliminated the vestiges of past discrimination; further supervision

by this Court is no longer warranted. Therefore, IT IS ORDERED, ADJUDGED, AND DECREED the 25 Motion for Declaration of Unitary Status and to Dismiss be and is hereby GRANTED. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all previous injunctions and orders granted by this Court are hereby VACATED AND LIFTED. This Courts supervision over Claiborne Parish Public Schools and Claiborne Parish School Board is hereby terminated. Signed by Judge S Maurice Hicks on 6/3/2014. (crt,Putch, A) (Entered: 06/04/2014)