

CLOSED

**U.S. District Court  
District of Maryland (Baltimore)  
CIVIL DOCKET FOR CASE #: 1:05-cv-03207-WDQ**

Baker v. Saar et al  
Assigned to: Judge William D Quarles, Jr  
Cause: 28:1441 Notice of Removal

Date Filed: 11/29/2005  
Date Terminated: 12/05/2005  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Wesley Eugene Baker**

represented by **Michael Edward Lawlor**  
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V.

**Defendant**

**Mary Ann Saar**

*Secretary, Department of Public Safety  
and Correctional Services*

represented by **Scott S Oakley**

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Dept of Public Safety and Correctional  
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**Defendant**

**Frank C. Sizer, Jr.**

*Commissioner Maryland Division of  
Correction*

represented by **Scott S Oakley**

(See above for address)

*LEAD ATTORNEY*

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**Phillip Michael Pickus**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**Lehrman Dotson**  
 Warden, Maryland Correctional  
 Adjustment Center

represented by **Scott S Oakley**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Phillip Michael Pickus**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Gary Hornbaker**  
 Warden, Metropolitan Transition Center

represented by **Scott S Oakley**  
 (See above for address)  
**LEAD ATTORNEY**  
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**Phillip Michael Pickus**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Unknown Executioners**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
11/29/2005	<a href="#">1</a>	NOTICE OF REMOVAL by Gary Hornbaker, Mary Ann Saar, Frank C. Sizer, Jr, Lehrman Dotson from Circuit Court for Baltimore City, Maryland, case number 24-C-010379. (Filing fee \$ 250 receipt number 139527), filed by Gary Hornbaker, Mary Ann Saar, Frank C. Sizer, Jr, Lehrman Dotson. (Attachments: # <a href="#">1</a> Civil Cover Sheet)(raf, Deputy Clerk) (Entered: 11/29/2005)
11/29/2005	<a href="#">2</a>	COMPLAINT against Gary Hornbaker, Unknown Executioners, Mary Ann Saar, Frank C. Sizer, Jr, Lehrman Dotson , filed by Wesley Eugene Baker. (Attachments: # <a href="#">1</a> Memorandum in Support# <a href="#">2</a> Exhibit 1# <a href="#">3</a> Exhibit 2# <a href="#">4</a> Exhibit 3# <a href="#">5</a> Exhibit 4# <a href="#">6</a> Exhibit 5# <a href="#">7</a> Exhibit 6# <a href="#">8</a> Exhibit 7)(raf, Deputy Clerk) (Entered: 11/29/2005)
11/29/2005	<a href="#">3</a>	MOTION for Temporary Injunction by Wesley Eugene Baker. (Attachments: # <a href="#">1</a> Text of Proposed Order)(raf, Deputy Clerk) (Entered: 11/29/2005)
11/29/2005	<a href="#">4</a>	MOTION for Production of Documents and Things by Wesley Eugene Baker. (raf, Deputy Clerk) (Entered: 11/29/2005)
11/29/2005		THE ABOVE PLEADINGS 2-4 ARE COPIES FILED IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND (raf, Deputy Clerk) (Entered: 11/29/2005)
11/29/2005	<a href="#">5</a>	FILED IN ERROR-STANDING ORDER re: Removal. Signed by Judge William D Quarles Jr. on 11/29/05. (raf, Deputy Clerk) Modified on 11/29/2005 (raf, Deputy Clerk). (Entered: 11/29/2005)

11/29/2005	<a href="#">6</a>	NOTICE of Appearance by Gary W Christopher on behalf of Wesley Eugene Baker (Attachments: # <a href="#">1</a> )(Christopher, Gary) (Entered: 11/29/2005)
11/29/2005	<a href="#">7</a>	NOTICE of Appearance by Franklin W Draper on behalf of Wesley Eugene Baker (Draper, Franklin) (Entered: 11/29/2005)
11/30/2005	<a href="#">8</a>	ORDER DIRECTING counsel for the Defendants to hand-deliver to Chambers by 3:30p.m. today a copy of the complete execution protocol to be used in Mr. Baker's case as therein set forth. Signed by Judge William D Quarles Jr. on 11/30/05. (mcb, Deputy Clerk) (Entered: 11/30/2005)
11/30/2005	<a href="#">9</a>	(FILED IN ERROR - WILL REFILE) NOTICE of Appearance by Phillip Michael Pickus on behalf of Gary Hornbaker, Mary Ann Saar, Frank C. Sizer, Jr, Lehrman Dotson (Pickus, Phillip) Modified on 11/30/2005 (mcb, Deputy Clerk). (Entered: 11/30/2005)
11/30/2005	<a href="#">10</a>	NOTICE of Appearance by Phillip Michael Pickus on behalf of Gary Hornbaker, Mary Ann Saar, Frank C. Sizer, Jr, Lehrman Dotson (Pickus, Phillip) (Entered: 11/30/2005)
11/30/2005	<a href="#">11</a>	ORDER DIRECTING counsel to file their answers to the questions addressed in this Order by 8:30a.m. on Thursday, December 1, 2005. Signed by Judge William D Quarles Jr. on 11/30/05. (mcb, Deputy Clerk) (Entered: 11/30/2005)
11/30/2005	<a href="#">12</a>	MOTION to Remand to State Court by Wesley Eugene Baker. Responses due by 12/19/2005 (Christopher, Gary) (Entered: 11/30/2005)
11/30/2005	<a href="#">13</a>	RESPONSE in Opposition re <a href="#">3</a> MOTION for Permanent Injunction <i>and Preliminary Injunction</i> filed by Gary Hornbaker, Mary Ann Saar, Frank C. Sizer, Jr, Lehrman Dotson. Replies due by 12/14/2005. (Attachments: # <a href="#">1</a> Exhibit Exhibit 1 to Memorandum# <a href="#">2</a> Exhibit "A" to Dershwitz Affidavit# <a href="#">3</a> Exhibit "B," "C," and "D," to Dershwitz Affidavit# <a href="#">4</a> Exhibit "2" to Memorandum)(Oakley, Scott) (Entered: 11/30/2005)
11/30/2005	<a href="#">14</a>	MOTION for Gary E. Proctor to Appear Pro Hac Vice by Wesley Eugene Baker. (mcb, Deputy Clerk) (Entered: 11/30/2005)
11/30/2005	15	MARGINAL ORDER granting <a href="#">14</a> Motion of Plaintiff for Gary E. Proctor to Appear Pro Hac Vice (Fee paid Receipt #14637005763 - for Document #15 see #14). Signed by Judge William D Quarles Jr. on 11/30/05. (mcb, Deputy Clerk) (Entered: 11/30/2005)
12/01/2005	<a href="#">16</a>	STATUS REPORT <i>Answers to Questions</i> by Gary Hornbaker, Mary Ann Saar, Frank C. Sizer, Jr, Lehrman Dotson. (Oakley, Scott) (Entered: 12/01/2005)
12/01/2005	<a href="#">17</a>	RESPONSE re <a href="#">13</a> Response in Opposition to Motion, filed by Wesley Eugene Baker. (Christopher, Gary) (Entered: 12/01/2005)
12/01/2005	<a href="#">18</a>	RESPONSE re <a href="#">11</a> Order filed by Wesley Eugene Baker. (Christopher, Gary) (Entered: 12/01/2005)
12/01/2005	<a href="#">19</a>	RESPONSE re <a href="#">11</a> Order filed by Wesley Eugene Baker. (Christopher, Gary) (Entered: 12/01/2005)

12/01/2005	<a href="#">20</a>	RESPONSE in Opposition re <a href="#">12</a> Motion to Remand to State Court (Oakley, Scott) Modified on 12/1/2005 (raf, Deputy Clerk) Modified on 12/1/2005 (cag, Deputy Clerk). (Entered: 12/01/2005)
12/01/2005	<a href="#">21</a>	NOTICE of Appearance by Joseph B Tetrault on behalf of Wesley Eugene Baker (Tetrault, Joseph) (Entered: 12/01/2005)
12/01/2005	<a href="#">22</a>	RESPONSE re <a href="#">11</a> Order filed by Wesley Eugene Baker. (Christopher, Gary) (Entered: 12/01/2005)
12/01/2005		Motion Hearing held on 12/1/2005 re <a href="#">3</a> MOTION for Permanent Injunction filed by Wesley Eugene Baker; Witness and Oral Argument of counsel heard before Judge William D Quarles Jr.. (Court Reporter Martin Giordano.) (rhl, Deputy Clerk) (Entered: 12/01/2005)
12/01/2005	<a href="#">23</a>	MEMORANDUM OPINION. Signed by Judge William D Quarles Jr. on 12/1/05. (mcb, Deputy Clerk) (Entered: 12/01/2005)
12/01/2005	<a href="#">24</a>	ORDER denying <a href="#">3</a> Motion of Plaintiff for a Temporary Restraining Order and Preliminary Injunction, denying <a href="#">12</a> Motion of Plaintiff to Remand to State Court. Signed by Judge William D Quarles Jr. on 12/1/05. (mcb, Deputy Clerk) Modified on 12/1/2005 (mcb, Deputy Clerk). (Entered: 12/01/2005)
12/01/2005	<a href="#">25</a>	Hearing Exhibits. (mcb, Deputy Clerk) (Entered: 12/01/2005)
12/02/2005	<a href="#">26</a>	STIPULATION of Dismissal by Wesley Eugene Baker. (Christopher, Gary) (Entered: 12/02/2005)
12/02/2005	27	PAPERLESS ORDER APPROVING <a href="#">26</a> Line Dismissing Complaint filed by Wesley Eugene Baker. Signed by Judge William D Quarles Jr. on 12/2/05. (mcb, Deputy Clerk) (Entered: 12/02/2005)

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