

**U.S. District Court
Western District of Tennessee (Memphis)
CIVIL DOCKET FOR CASE #: 2:17-cv-02535-SHM-cgc**

Weatherspoon v. Oldham
Assigned to: Judge Samuel H. Mays, Jr
Referred to: Magistrate Judge Charmiane G. Claxton
Case in other court: Criminal Court of Shelby County,
Tennessee, P 43279
Cause: 28:2241 Petition for Writ of Habeas Corpus
(federa

Date Filed: 07/25/2017
Date Terminated: 05/01/2018
Jury Demand: None
Nature of Suit: 530 Habeas Corpus
(General)
Jurisdiction: Federal Question

Petitioner

Delchon Weatherspoon

represented by **Charles Lewis Gerstein**
CIVIL RIGHTS CORPS
910 17th St. NW
Suite 500
Washington, DC 20006
202-670-4809
Email: charlie@civilrightscorps.org
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Amir Hatem Ali
RODERICK & SOLANGE
MACARTHUR JUSTICE CENTER
501 H Street NE
Suite 275
Washington, DC 20002
202-869-3434
Email:
amir.ali@macarthurjustice.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

Premal Dharia
CIVIL RIGHTS CORPS
910 17th Street NW
Suite 200
Washington, DC 20006
202-844-4975

Email: premal@civilrightscorps.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

Emma Redden Davis
BAKER DONELSON BEARMAN
COALDWELL & BERKOWITZ
165 Madison Ave.
Suite 38103
Memphis, TN 38103
901-577-8158
Email: erdavis@bakerdonelson.com
ATTORNEY TO BE NOTICED

V.

Defendant

Bill Oldham
Shelby County Sheriff

represented by **Bridgett L. Stigger**
Shelby County Attorney's Office
160 N. Main St.
Suite 950
Memphis, TN 38103
901-222-2100
Fax: 901-222-2105
Email:
bridgett.stigger@shelbycountyttn.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John Marshall Jones
Shelby County Attorney's Office
160 North Main Street
Suite 950
Memphis, TN 38103
901-222-2100
Fax: 901-222-2105
Email:
johnm.jones@shelbycountyttn.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/25/2017	<u>1</u>	PETITION for Writ of Habeas Corpus (Filing fee \$ 5 receipt number 0651-2593884), filed by Delchon Weatherspoon.

		(Attachments: # 1 Exhibit A - Transcript of Criminal Court hearing, # 2 Exhibit B - Court of Appeals Order, # 3 Exhibit C - Supreme Court Motion, # 4 Exhibit D -TN Supreme Court Order, # 5 Exhibit E - Ransom, # 6 Exhibit F - Hyperlinks, # 7 Memorandum in Support of Petition, # 8 Civil Cover Sheet)(Redden, Emma) (Entered: 07/25/2017)
07/25/2017	2	Judge Samuel H. Mays, Jr and Magistrate Judge Charmiane G. Claxton added. (jae) (Entered: 07/26/2017)
07/26/2017	3	NOTICE OF CASE TRACKING ASSIGNMENT PURSUANT TO LOCAL RULE 16.2: Pursuant to Local Rule 16.2, this case has been assigned to the Administrative track. http://www.tnwd.uscourts.gov/pdf/content/LocalRules.pdf (jae) (Entered: 07/26/2017)
07/27/2017	4	NOTICE of Summons by Emma Janine Redden on behalf of Delchon Weatherspoon. (Redden, Emma) (Entered: 07/27/2017)
07/27/2017	5	Summons Issued as to Bill Oldham. The filer has been notified electronically that the summons has been issued, and the new docket entry reflects this. Upon notification of the new docket entry, the filer is to print the issued summons in order to effect service. (jld) (Entered: 07/27/2017)
07/27/2017	6	MOTION for Leave to Appear Pro Hac Vice <i>proposed order submitted</i> (Filing fee \$ 150 receipt number 0651-2595888) by Delchon Weatherspoon. (Gerstein, Charles) (Entered: 07/27/2017)
07/28/2017	7	ORDER GRANTING MOTION 6 TO APPEAR PRO HAC VICE, signed by Judge Samuel H. Mays, Jr. on 07/28/2017. Attorney Charles Lewis Gerstein is admitted to participate in this action as counsel for plaintiff. (Mays, Samuel) (Entered: 07/28/2017)
07/28/2017	8	SUMMONS Returned Executed by Delchon Weatherspoon as to Bill Oldham. (Redden, Emma) (Entered: 07/28/2017)
08/01/2017	9	MOTION to Expedite <i>proposed order submitted</i> by Delchon Weatherspoon. (Attachments: # 1 Memorandum of law)(Gerstein, Charles) (Entered: 08/01/2017)
08/02/2017	10	MOTION for Leave to Appear Pro Hac Vice <i>proposed order submitted</i> (Filing fee \$ 150 receipt number 0651-2599358) by Delchon Weatherspoon. (Ali, Amir) (Entered: 08/02/2017)
08/03/2017	11	ORDER GRANTING MOTION 10 TO APPEAR PRO HAC VICE, signed by Judge Samuel H. Mays, Jr. on 08/03/2017.

		Attorney Amir H. Ali is admitted to participate in this action as counsel for petitioner. (Mays, Samuel) (Entered: 08/03/2017)
10/02/2017	12	Emergency MOTION for Order to Show Cause <i>proposed order submitted</i> by Delchon Weatherspoon. (Gerstein, Charles) (Entered: 10/02/2017)
10/02/2017	13	NOTICE by Delchon Weatherspoon of <i>Supplemental Authority</i> (Attachments: # 1 Exhibit Brief of Amicus Curiae Conference of Chief Justices in ODonnell v. Harris County, Tex.)(Gerstein, Charles) (Entered: 10/02/2017)
10/10/2017	14	ORDER DIRECTING UNITED STATES TO RESPOND re 12 Emergency MOTION for Order to Show Cause, signed by Judge Samuel H. Mays, Jr on 10/10/2017. (Mays, Samuel) (Entered: 10/10/2017)
10/16/2017	15	AMENDED ORDER DIRECTING RESPONDENT TO RESPOND. Signed by Judge Samuel H. Mays, Jr on 10/16/2017. (Mays, Samuel) (Entered: 10/16/2017)
10/16/2017	16	NOTICE of Appearance by Bridgett L. Stigger on behalf of Bill Oldham (Stigger, Bridgett) (Entered: 10/16/2017)
10/16/2017	17	NOTICE of Appearance by John Marshall Jones on behalf of Bill Oldham (Jones, John) (Entered: 10/16/2017)
10/16/2017	18	RESPONSE TO ORDER TO SHOW CAUSE by Bill Oldham. (Stigger, Bridgett) (Entered: 10/16/2017)
10/20/2017	19	Consent MOTION for Leave to File <i>Reply proposed order submitted</i> by Delchon Weatherspoon. (Attachments: # 1 Exhibit Proposed Reply in Support of Petitioner's Motion for an Order to Show Cause)(Gerstein, Charles) (Entered: 10/20/2017)
10/23/2017	20	ORDER granting 9 Motion to Expedite; denying 12 Motion for Order to Show Cause; granting 19 Motion for Leave to File. Respondent is ordered to file his response to Weatherspoon's petition by November 6, 2017. Any reply must be filed by November 13, 2017. Signed by Judge Samuel H. Mays, Jr on 10/23/2017. (Mays, Samuel) (Entered: 10/23/2017)
11/06/2017	21	RESPONSE to 1 Petition for Writ of Habeas Corpus, <i>Answer</i> by Bill Oldham. (Attachments: # 1 Memorandum Memorandum of Law in Support of Answer)(Stigger, Bridgett) (Entered: 11/06/2017)

11/13/2017	22	REPLY to Response to Habeas Petition re 21 Response to Habeas Petition filed by Delchon Weatherspoon. (Gerstein, Charles) (Entered: 11/13/2017)
11/29/2017	23	MOTION for Leave to Appear Pro Hac Vice <i>proposed order submitted</i> (Filing fee \$ 150 receipt number 0651-2677480) by Delchon Weatherspoon. (Attachments: # 1 Certificates of Good Standing)(Gerstein, Charles) Modified on 12/5/2017 (jld). (Entered: 11/29/2017)
11/30/2017	24	NOTICE by Delchon Weatherspoon <i>of Supplemental Authority</i> (Attachments: # 1 Exhibit Exhibit A Order of U.S. District Court Northern District of California)(Gerstein, Charles) (Entered: 11/30/2017)
12/05/2017	25	DEFICIENCY NOTICE: Pursuant to Rule 5 of the Federal Rules of Civil Procedure, document 23 MOTION for Leave to Appear Pro Hac Vice <i>proposed order submitted</i> (Filing fee \$ 150 receipt number 0651-2677480) filed by Delchon Weatherspoon has been filed. However, the following deficiency has been found: The Attorney filing a motion must use their log in and password. A mismatch between the login account and the electronic signature (s/name) will be grounds for rejecting that filing. Please refer to the ECF User Manual and ECF Policies and Procedures . The filer has one business day to correct the deficiency. (jld) (Entered: 12/05/2017)
12/08/2017	26	Second MOTION for Leave to Appear Pro Hac Vice <i>Proposed Order Submitted</i> (Fee paid as part of previous filing) by Delchon Weatherspoon. (Attachments: # 1 Exhibit Certificate of Good Standing DC, # 2 Exhibit Certificate of Good Standing DDC)(Dharia, Premal) (Entered: 12/08/2017)
12/11/2017	27	ORDER GRANTING MOTION 26 TO APPEAR PRO HAC VICE, signed by Judge Samuel H. Mays, Jr. on 12/08/2017. Attorney Premal Dharia is admitted to participate in this action as counsel for petitioner. (Mays, Samuel) (Entered: 12/11/2017)
02/07/2018	28	NOTICE by Delchon Weatherspoon <i>of Intention to Seek a Writ of Mandamus</i> (Attachments: # 1 Exhibit A State Court Case Summary)(Gerstein, Charles) (Entered: 02/07/2018)
02/15/2018	29	NOTICE by Delchon Weatherspoon <i>of Filing of Petition for a Writ of Mandamus</i> (Gerstein, Charles) (Entered: 02/15/2018)

02/15/2018	30	NOTICE from the Sixth Circuit Court of Appeals. Petition for Writ of Mandamus filed as case number 18-5162. Petition filed by Petitioner Delchon Weatherspoon. (agj) (Entered: 02/16/2018)
02/26/2018	31	ORDER granting a condition writ of habeas corpus. Weatherspoon is GRANTED a conditional writ of habeas corpus, releasing him, unless the state trial court holds a bail hearing that comports with Due Process within 30 days of the issuance of the writ to determine whether continued detention is justified. Signed by Judge Samuel H. Mays, Jr on 2/26/2018. (Mays, Samuel) (Entered: 02/26/2018)
03/02/2018	32	ORDER filed GRANTING motion to dismiss USCA case number 18-5162 - voluntarily filed by Mr. Charles Lewis Gerstein and Amir H. Ali. (jrs) (Entered: 03/02/2018)
03/02/2018	33	MOTION for Reconsideration re 31 Order, by Delchon Weatherspoon. (Attachments: # 1 Memorandum of Law)(Gerstein, Charles) (Entered: 03/02/2018)
03/14/2018	34	RESPONSE in Opposition re 33 MOTION for Reconsideration re 31 Order, (<i>RESPONSE TO PETITIONERS MOTION FOR PARTIAL RECONSIDERATION</i>) filed by Bill Oldham. (Stigger, Bridgett) (Entered: 03/14/2018)
03/16/2018	35	REPLY to Response to Motion re 34 Response in Opposition to Motion filed by Delchon Weatherspoon. (Gerstein, Charles) (Entered: 03/16/2018)
03/29/2018	36	Emergency MOTION for Writ <i>Compliance with Conditional Writ</i> by Delchon Weatherspoon. (Attachments: # 1 Exhibit A Declaration of Joshua Stanton)(Gerstein, Charles) (Entered: 03/29/2018)
04/06/2018	37	First MOTION for Extension of Time to File Response/Reply as to 36 Emergency MOTION for Writ <i>Compliance with Conditional Writ (Proposed Order Submitted)</i> by Bill Oldham. (Stigger, Bridgett) (Entered: 04/06/2018)
04/09/2018	38	ORDER GRANTING MOTION 37 FOR EXTENSION TO RESPOND to petitioner's emergency motion for compliance with conditional writ, signed by Judge Samuel H. Mays, Jr. on 04/09/2018. Respondent shall have fourteen (14) days after the filing of the transcript of the bail hearing in which to file a response. (Mays, Samuel) (Entered: 04/09/2018)

04/09/2018	39	NOTICE by Delchon Weatherspoon re 36 Emergency MOTION for Writ <i>Compliance with Conditional Writ Filing of Official Transcript</i> (Attachments: # 1 Exhibit B Official Transcript)(Gerstein, Charles) (Entered: 04/09/2018)
04/19/2018	40	ORDER denying 33 Motion for Reconsideration. Signed by Judge Samuel H. Mays, Jr on 4/16/2018. (Mays, Samuel) (Entered: 04/19/2018)
04/23/2018	41	RESPONSE in Opposition re 36 Emergency MOTION for Writ <i>Compliance with Conditional Writ</i> filed by Bill Oldham. (Stigger, Bridgett) (Entered: 04/23/2018)
04/30/2018	42	MOTION for Leave to File <i>Reply in Support of Emergency Motion for Compliance with Conditional Writ</i> by Delchon Weatherspoon. (Attachments: # 1 Memorandum)(Ali, Amir) (Entered: 04/30/2018)
05/01/2018	43	ORDER GRANTING MOTION 42 FOR LEAVE TO FILE REPLY in support of emergency motion for compliance with this Court's conditional writ, signed by Judge Samuel H. Mays, Jr. on 05/01/2018. Petitioner may file the reply that is attached to his motion. (Mays, Samuel) (Entered: 05/01/2018)
05/01/2018	44	REPLY to Response to Motion re 41 Response in Opposition to Motion <i>for Writ Compliance with Conditional Writ</i> filed by Delchon Weatherspoon. (Ali, Amir) (Entered: 05/01/2018)
05/01/2018	45	ORDER denying 36 Weatherspoons Emergency Motion and his § 2241 Petition. Signed by Judge Samuel H. Mays, Jr on 5/1/2018. (Mays, Samuel) (Entered: 05/01/2018)
05/01/2018	46	JUDGMENT. Signed by Judge Samuel H. Mays, Jr on 5/1/2018. (Mays, Samuel) (Entered: 05/01/2018)

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