

General Docket
United States Court of Appeals for the 5th Circuit

Court of Appeals Docket #: 08-10630 **Docketed:** 07/01/2008
Nature of Suit: 3446 Amer w/Disabilities Act - Other **Termed:** 09/15/2011
Richard Frame, et al v. City of Arlington
Appeal From: Northern District of Texas, Fort Worth
Fee Status: fee paid

Case Type Information:

- 1) Private Civil Federal
- 2) Private
- 3)

Originating Court Information:

District: 0539-4 : [4:05-CV-470](#)
Originating Judge: Terry R. Means, U.S. District Judge
Date Filed: 07/22/2005
Date NOA Filed: 06/17/2008 **Date Rec'd COA:**
06/18/2008

Prior Cases:

None

Current Cases:

	Lead	Member	Start	End
AIMS Additional	08-10630	08-10631	07/01/2008	
Related	10-11254	11-10830	09/02/2011	
	11-10830	08-10630	09/21/2011	

Panel Assignment:

Panel: EGJ ECP LHS
Date of Hearing: 04/01/2009 **Date of Decision:** 07/07/2009 **Date Completed:** 07/07/2009

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J N, by his next friend and mother Gabriela Castro
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v.

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RICHARD FRAME; WENDELL DECKER; SCOTT UPDIKE; J N, a minor,
by his next friend and mother Gabriela Castro; MARK HAMMAN;
JOEY SALAS



Plaintiffs - Appellants





v.

CITY OF ARLINGTON, A Municipal Corporation








Defendant - Appellee










07/01/2008	 17 pg, 912.08 KB	Private civil federal case docketed. NOA filed by Appellant Richard Frame, Appellant Wendell Decker, Appellant Scott Updike, Appellant JN, Appellant Mark Hamman, Appellant Joey Salas. [08-10630] (RFP)
07/01/2008		The attorney JN for Scott Updike not participating in case. [08-10630] (RFP)
07/01/2008		Additional Appeal docketed. [08-10630, 08-10631] (RFP)
07/03/2008		Appearance form filed by Miguel M de la O for Appellant Joey Salas, Appellant Mark Hamman, Appellant JN, Appellant Scott Updike, Appellant Wendell Decker, Appellant Richard Frame in 08-10630, Miguel M de la O for Appellant Joey Salas, Appellant Mark Hamman, Appellant JN, Appellant Scott Updike, Appellant Wendell Decker, Appellant Richard Frame in 08-10631. [08-10630, 08-10631] (No. of forms filed: 1) (GRM)









07/10/2008	Notice received on 7/3/08 from Appellant Richard Frame in 08-10630, Appellant Wendell Decker in 08-10630, Appellant Scott Updike in 08-10630, Appellant JN in 08-10630, Appellant Mark Hamman in 08-10630, Appellant Joey Salas in 08-10630, Appellant Richard Frame in 08-10631, Appellant Wendell Decker in 08-10631, Appellant Scott Updike in 08-10631, Appellant JN in 08-10631, Appellant Mark Hamman in 08-10631, Appellant Joey Salas in 08-10631 that transcript is unnecessary (No Hearings). [08-10630, 08-10631] (MCS)	
07/23/2008	Appearance form filed by Denise V Wilkerson for Appellee Arlington, City of in 08-10630, Denise V Wilkerson for Appellee Arlington, City of in 08-10631. [08-10630, 08-10631] (No. of forms filed: 1) (GRM)	
07/24/2008	Appearance form filed by Edwin Armstrong Price Voss for Appellee Arlington, City of in 08-10630, Edwin Armstrong Price Voss for Appellee Arlington, City of in 08-10631. [08-10630, 08-10631] (No. of forms filed: 1) (GRM)	
07/25/2008	Notice received from District Court, ROA certified. Electronic Pleadings: Y TYPE of Exhibits: trial exhibits [08-10630, 08-10631] Certified ROA due ddl satisfied. (GRM)	
07/25/2008	 3 pg, 16.01 KB	Briefing notice issued. [08-10630, 08-10631] A/Pet's Brief due on 9/3/08 for Joey Salas in 08-10630, for Mark Hamman in 08-10630, for J N in 08-10630, for Scott Updike in 08-10630, for Wendell Decker in 08-10630, for Richard Frame in 08-10630, for Joey Salas in 08-10631, for Mark Hamman in 08-10631, for J N in 08-10631, for Scott Updike in 08-10631, for Wendell Decker in 08-10631, for Richard Frame in 08-10631. (GRM)
08/25/2008	Phone extension confirmed for Appellant Richard Frame in 08-10630, Appellant Wendell Decker in 08-10630, Appellant Scott Updike in 08-10630, Appellant J N in 08-10630, Appellant Mark Hamman in 08-10630, Appellant Joey Salas in 08-10630, Appellant Richard Frame in 08-10631, Appellant Wendell Decker in 08-10631, Appellant Scott Updike in 08-10631, Appellant J N in 08-10631, Appellant Mark Hamman in 08-10631, Appellant Joey Salas in 08-10631 for filing appellant's brief. Extension granted to and including 9/18/08. [08-10630, 08-10631] A/Pet's Brief ddl updated to 9/18/08 for Joey Salas in 08-10630, for Mark Hamman in 08-10630, for J N in 08-10630, for Scott Updike in 08-10630, for Wendell Decker in 08-10630, for Richard Frame in 08-10630, for Joey Salas in 08-10631, for Mark Hamman in 08-10631, for J N in 08-10631, for Scott Updike in 08-10631, for Wendell Decker in 08-10631, for Richard Frame in 08-10631. (GRM)	
09/15/2008	Unopposed motion filed by Appellant Richard Frame in 08-10630, Appellant Wendell Decker in 08-10630, Appellant Scott Updike in 08-10630, Appellant J N in 08-10630, Appellant Mark Hamman in 08-10630, Appellant Joey Salas in 08-10630, Appellant Richard Frame in 08-10631, Appellant Wendell Decker in 08-10631, Appellant Scott Updike in 08-10631, Appellant J N in 08-10631, Appellant Mark Hamman in 08-10631, Appellant Joey Salas in 08-10631 to extend time to file appellant(s) brief until 10/3/08 [6115773-1] Date of COS: 9/12/08 Sufficient [Y/N]: Y [08-10630, 08-10631] (POK)	
09/16/2008		CLERK Order filed granting unopposed motion to extend time to file Appellant's Brief [6115773-1] A/Pet's Brief ddl updated to 10/3/08 for Joey







	5 pg, 160.34 KB	Salas in 08-10630, in 08-10631 for Mark Hamman in 08-10630, in 08-10631 for J N in 08-10630, in 08-10631 for Scott Updike in 08-10630, in 08-10631 for Wendell Decker in 08-10630, in 08-10631 for Richard Frame in 08-10630, in 08-10631 Copies to all counsel. [08-10630, 08-10631] (GRM)
10/03/2008	 37 pg, 2.78 MB	Appellant's Brief filed by Appellant Richard Frame in 08-10630, Appellant Wendell Decker in 08-10630, Appellant Scott Updike in 08-10630, Appellant J N in 08-10630, Appellant Mark Hamman in 08-10630, Appellant Joey Salas in 08-10630, Appellant Richard Frame in 08-10631, Appellant Wendell Decker in 08-10631, Appellant Scott Updike in 08-10631, Appellant J N in 08-10631, Appellant Mark Hamman in 08-10631, Appellant Joey Salas in 08-10631. Disk Provided [Y/N]: Y Sufficient [Y/N]: Y [6129496-1] [08-10630, 08-10631] A/Pet's Brief ddl satisfied. E/Res's Brief due on 11/3/08 for Arlington, City of in 08-10630, for Arlington, City of in 08-10631. (GRM)
10/03/2008	 93 pg, 2.51 MB	Record excerpts filed by Appellant Richard Frame in 08-10630, Appellant Wendell Decker in 08-10630, Appellant Scott Updike in 08-10630, Appellant J N in 08-10630, Appellant Mark Hamman in 08-10630, Appellant Joey Salas in 08-10630, Appellant Richard Frame in 08-10631, Appellant Wendell Decker in 08-10631, Appellant Scott Updike in 08-10631, Appellant J N in 08-10631, Appellant Mark Hamman in 08-10631, Appellant Joey Salas in 08-10631. Disk Provided [Y/N]: Y Sufficient [Y/N]: Y [08-10630, 08-10631] (GRM)
10/24/2008		Phone extension confirmed for Appellee Arlington, City of in 08-10630, Appellee Arlington, City of in 08-10631 for filing appellee's brief. Extension granted to and including 11/14/08. [08-10630, 08-10631] E/Res's Brief ddl updated to 11/14/08 for Arlington, City of in 08-10630, for Arlington, City of in 08-10631. (GRM)
11/17/2008	 71 pg, 200.87 KB	Appellee's Brief filed by Appellee Arlington, City of in 08-10630, Appellee Arlington, City of in 08-10631. Disk Provided [Y/N]: Y Sufficient [Y/N]: y [6159841-1] [08-10630, 08-10631] E/Res's Brief ddl satisfied. Reply Brief due on 12/1/08 for Joey Salas in 08-10630, for Mark Hamman in 08-10630, for J N in 08-10630, for Scott Updike in 08-10630, for Wendell Decker in 08-10630, for Richard Frame in 08-10630, for Joey Salas in 08-10631, for Mark Hamman in 08-10631, for J N in 08-10631, for Scott Updike in 08-10631, for Wendell Decker in 08-10631, for Richard Frame in 08-10631. (RSM)
11/17/2008	 41 pg, 1.55 MB	Record excerpts filed by Appellee Arlington, City of in 08-10630, Appellee Arlington, City of in 08-10631. Sufficient [Y/N]: Y [08-10630, 08-10631] (RSM)
11/17/2008		Record on appeal requested from Edwin Armstrong Price Voss for Appellee Arlington, City of in 08-10630. [08-10630, 08-10631] ROA BEING SENT UNDER SEPARATE COVER. (RSM)
11/17/2008		Record on appeal filed. Vol(s) of Electronic Pleadings: 5 Exhibits: 1 env (ALWAYS SEND WITH ROA). [08-10630, 08-10631] (SDH)
11/24/2008		Phone extension confirmed for Appellant Richard Frame in 08-10630, Appellant Wendell Decker in 08-10630, Appellant Scott Updike in 08-10630, Appellant J N in 08-10630, Appellant Mark Hamman in 08-10630,




Appellant Joey Salas in 08-10630, Appellant Richard Frame in 08-10631, Appellant Wendell Decker in 08-10631, Appellant Scott Updike in 08-10631, Appellant J N in 08-10631, Appellant Mark Hamman in 08-10631, Appellant Joey Salas in 08-10631 for filing reply brief. Extension granted to and including 12/8/08. [08-10630, 08-10631] Reply Brief ddl updated to 12/8/08 for Joey Salas in 08-10630, for Mark Hamman in 08-10630, for J N in 08-10630, for Scott Updike in 08-10630, for Wendell Decker in 08-10630, for Richard Frame in 08-10630, for Joey Salas in 08-10631, for Mark Hamman in 08-10631, for J N in 08-10631, for Scott Updike in 08-10631, for Wendell Decker in 08-10631, for Richard Frame in 08-10631. (GLP)









12/09/2008	 19 pg, 104.14 KB	Reply brief filed by Appellant Richard Frame in 08-10630, Appellant Wendell Decker in 08-10630, Appellant Scott Updike in 08-10630, Appellant J N in 08-10630, Appellant Mark Hamman in 08-10630, Appellant Joey Salas in 08-10630, Appellant Richard Frame in 08-10631, Appellant Wendell Decker in 08-10631, Appellant Scott Updike in 08-10631, Appellant J N in 08-10631, Appellant Mark Hamman in 08-10631, Appellant Joey Salas in 08-10631. Disk Provided [Y/N]: A Sufficient [Y/N]: Y [6174504-1] [08-10630, 08-10631] Reply Brief ddl satisfied. , (GLP)
02/09/2009	 1 pg, 9.26 KB	Case tentatively calendared for oral argument Week of: 03/30/09. [08-10630, 08-10631] (GAM)
02/25/2009		CASE CALENDAR for oral argument on 04/01/2009 in New Orleans in the En Banc Courtroom. [08-10630, 08-10631] (SME)
03/30/2009	 1 pg, 69.48 KB	SUPPLEMENTAL AUTHORITIES (FRAP 28j) FILED by Appellee City of Arlington in 08-10630, 08-10631 [08-10630, 08-10631] (SME)
04/01/2009		ORAL ARGUMENT HEARD before Judges Jolly, Prado, Southwick. Arguing Person Information Updated for: Edwin Armstrong Price Voss, Jr. arguing for Appellee City of Arlington; Arguing Person Information Updated for: Miguel M de la O arguing for Appellants Richard Frame, Wendell Decker, Scott Updike, J N, Mark Hamman, and Joey Salas [08-10630, 08-10631] (SME)
04/23/2009	 10 pg, 682.88 KB	SUPPLEMENTAL AUTHORITIES (FRAP 28j) FILED by Appellants Mr. Wendell Decker, Mr. Richard Frame, Mr. Mark Hamman, Mr. J N, Mr. Joey Salas and Mr. Scott Updike in 08-10630, 08-10631 [08-10630, 08-10631] (SME)
04/23/2009	 1 pg, 67.03 KB	RESPONSE/OPPPOSITION filed by City of Arlington in 08-10630, 08-10631 [6263312-1] to the 28j letter filed by Appellants Mr. Joey Salas, Mr. Scott Updike, Mr. J N, Mr. Wendell Decker, Mr. Richard Frame and Mr. Mark Hamman in 08-10630,08-10631 [6263305-2] Date of Service: 04/23/2009 [08-10630, 08-10631] (SME)
07/07/2009	 1 pg, 51.44 KB	PUBLISHED OPINION FILED. [08-10630 Vacated and Remanded, 08-10631 Vacated and Remanded.] Judge: EGJ , Judge: ECP , Judge: LHS. Mandate pull date is 07/28/2009 [08-10630, 08-10631] (ARC)
07/07/2009	 1 pg, 44.17 KB	JUDGMENT ENTERED AND FILED. [08-10630, 08-10631] (ARC)






07/07/2009		COSTS TAXED AGAINST: each party bear its own costs on appeal. [08-10630, 08-10631] (ARC)
07/20/2009	 3 pg, 93.74 KB	MOTION filed by Appellants Mr. Wendell Decker, Mr. Richard Frame, Mr. Mark Hamman, Mr. J N, Mr. Joey Salas and Mr. Scott Updike in 08-10630, 08-10631 to extend the time to file a rehearing until 07/23/2009 [6325814-2]. Date of Service: 07/20/2009 [08-10630, 08-10631] (KSW)
07/20/2009	 1 pg, 84.75 KB	CLERK ORDER granting motion to extend the time to file a petition for rehearing filed by Appellants Mr. Joey Salas, Mr. Scott Updike, Mr. J N, Mr. Wendell Decker, Mr. Richard Frame and Mr. Mark Hamman [6325814-2] in 08-10630, 08-10631 until 07/23/2009 at 05:00 pm. [08-10630, 08-10631] (RSM)
07/20/2009	 53 pg, 2.41 MB	PETITION filed by Appellee City of Arlington in 08-10630, 08-10631 for rehearing en banc [6328191-2] Number of Copies:20.. Date of Service: 07/17/2009. [08-10630, 08-10631] (SDH)
07/22/2009	 20 pg, 110.41 KB	PETITION filed by Appellants Mr. Wendell Decker, Mr. Richard Frame, Mr. Mark Hamman, Mr. J N, Mr. Joey Salas and Mr. Scott Updike in 08-10630, 08-10631 for rehearing en banc [6327845-2] Number of Copies:21. Mandate pull date canceled.. Date of Service: 07/21/2009. [08-10630, 08-10631] (GRM)
07/27/2009		RESPONSE REQUESTED. The Court has requested a response to the petition for rehearing en banc filed by Appellants Mr. Joey Salas, Mr. Scott Updike, Mr. J N, Mr. Wendell Decker, Mr. Richard Frame and Mr. Mark Hamman in 08-10630 [6327845-2]Response/Opposition due on 08/06/2009. [08-10630, 08-10631] (MBC)
07/27/2009	 1 pg, 53.86 KB	LETTER OF ADVISEMENT. Reason: City of Arlington to respond to Frame's petition for rehearing en banc by August 6, 2009. [08-10630, 08-10631] (MBC)
07/27/2009	 5 pg, 151.35 KB	MOTION by Not Partys Texas Municipal League and International Municipal Lawyers Association in 08-10630 and Not Partys Texas Municipal League and International Municipal Lawyers Association in 08-10631 to file amicus briefi in support of appellees petition for rehearing en banc (brief attached) [6331230-2]. Date of Service: 07/24/2009 [08-10630, 08-10631] (MBC)
08/03/2009	 28 pg, 77.13 KB	AMICUS CURIAE BRIEF FILED by International Municipal Lawyers Association and Texas Municipal League in 08-10630, 08-10631. Consent is Not Necessary a Motion has been Granted. # of Copies Provided: 6 [08-10630, 08-10631] (GRM)
08/04/2009	 2 pg, 113.11 KB	COURT ORDER granting motion to file amicus brief [6331230-2] filed by Texas Municipal League and International Municipal Lawyers Association in 08-10630 and in 08-10631 Judge(s): EGJ. [08-10630, 08-10631] (GRM)
08/06/2009	 22 pg, 851.4 KB	RESPONSE/OPPPOSITION filed by City of Arlington in 08-10630, 08-10631 [6339188-1] to the petition for rehearing en banc filed by Appellants Mr. Joey Salas, Mr. Scott Updike, Mr. J N, Mr. Wendell Decker, Mr. Richard Frame and Mr. Mark Hamman in 08-10630,08-10631 [6327845-2]Response/Opposition deadline satisfied. Date of Service: 08/05/2009 [08-10630, 08-10631] (MCS)



08/18/2009		RESPONSE REQUESTED. The Court has requested a response to the petition for rehearing en banc filed by Appellee City of Arlington in 08-10630 [6328191-2]Response/Opposition due on 08/28/2009. [08-10630, 08-10631] (MBC)
08/18/2009	 1 pg, 53.53 KB	LETTER OF ADVISEMENT. Reason: Appellants to respond to City of Arlington's petition for rehearing en banc by August 28, 2009. [08-10630, 08-10631] (MBC)
08/28/2009	 21 pg, 110.93 KB	RESPONSE/OPPPOSITION filed by Mr. Wendell Decker, Mr. Richard Frame, Mr. Mark Hamman, Mr. J N, Mr. Joey Salas and Mr. Scott Updike in 08-10630, 08-10631 [6355090-1] to the petition for rehearing en banc filed by Appellee City of Arlington in 08-10630,08-10631 [6328191-2]Response/Opposition deadline satisfied. Date of Service: 08/27/2009 [08-10630, 08-10631] (MBC)
02/04/2010	 8 pg, 467.42 KB	SUPPLEMENTAL AUTHORITIES (FRAP 28j) FILED by Appellee City of Arlington in support of petition for rehearing en banc in 08-10630, 08-10631 [08-10630, 08-10631] (MBC)
03/03/2010	 12 pg, 529.95 KB	SUPPLEMENTAL AUTHORITIES (FRAP 28j) FILED by Appellants Mr. Wendell Decker, Mr. Richard Frame, Mr. Mark Hamman, Mr. J N, Mr. Joey Salas and Mr. Scott Updike in 08-10630, 08-10631 Date of Service: 03/02/2010 [08-10630, 08-10631] (GRM)
03/03/2010	 2 pg, 60.66 KB	LETTER filed by Appellee City of Arlington in 08-10630, 08-10631 referencing 28j letter filed by Appellants Mr. Joey Salas, Mr. Scott Updike, Mr. J N, Mr. Wendell Decker, Mr. Richard Frame and Mr. Mark Hamman in 08-10630,08-10631 [6480814-2]. Date of Service: 03/03/2010 via US mail - Attorney for Appellant: de la O; Attorney for Appellee: Wilkerson; email - Attorney for Appellant: de la O; Attorney for Appellee(s): Voss, Wilkerson [08-10630, 08-10631] (Edwin Armstrong Price Voss Jr.)
08/23/2010		OPINION WITHDRAWN. [6317028-2] [08-10630, 08-10631] (JMA)
08/23/2010		COURT ORDER mootng petition for rehearing en banc filed by Appellants Mr. Joey Salas, Mr. Scott Updike, Mr. J N, Mr. Wendell Decker, Mr. Richard Frame and Mr. Mark Hamman [6327845-2], mootng petition for rehearing en banc filed by Appellee City of Arlington [6328191-2]; Treating the Petitions for Rehearing En Banc as Petitions for Panel rehearings, the Petitions for Panel Rehearings are granted. (Prior Opinion issued 7/7/09 withdrawn and substituted) (See opinion issued 8/23/09) [6610830-2]; reopening case [6610830-2] [08-10630, 08-10631] (JMA)
08/23/2010	 32 pg, 278.42 KB	PUBLISHED OPINION FILED. [08-10630 Vacated and Remanded 08-10631 Vacated and Remanded] Judge: EGJ , Judge: ECP , Judge: LHS Mandate pull date is 09/13/2010 [08-10630, 08-10631] (JMA)
08/23/2010	 2 pg, 63.43 KB	JUDGMENT ENTERED AND FILED. [08-10630, 08-10631] (JMA)
08/23/2010		COSTS TAXED: each party to bear its own costs on appeal [08-10630, 08-10631] (JMA)
09/07/2010		PETITION filed by Appellants Mr. Wendell Decker, Mr. Richard Frame,






81 pg, 620.78 KB	Mr. Mark Hamman, Mr. J N, Mr. Joey Salas and Mr. Scott Updike in 08-10630, 08-10631 for rehearing en banc [6622024-2]. Date of Service: 09/07/2010 via email - Attorney for Appellant: de la O; Attorney for Appellee(s): Voss, Wilkerson [08-10630, 08-10631] REVIEWED AND/OR EDITED. PETITION for rehearing en banc [6622024-2] Mandate pull date canceled.. Paper Copies of Rehearing due on 09/13/2010 for Appellant Wendell Decker, Appellant Richard Frame, Appellant Mark Hamman, Appellant J N, Appellant Joey Salas and Appellant Scott Updike.. Date of Service: 09/07/2010 [08-10630, 08-10631] (Miguel M. de la O)	
09/13/2010	Paper copies of petition for rehearing en banc filed by Appellants Mr. Joey Salas, Mr. Scott Updike, Mr. J N, Mr. Wendell Decker, Mr. Richard Frame and Mr. Mark Hamman in 08-10630, 08-10631 received. Paper copies match electronic version of document? Yes. # of Copies Provided: 20. Paper Copies of Rehearing due deadline satisfied. [08-10630, 08-10631] (MKC)	
09/21/2010	 1 pg, 71.12 KB	COURT DIRECTIVE ISSUED requesting a response to the petition for rehearing en banc. Response/Opposition due on 10/01/2010. [08-10630, 08-10631] (KSW)
09/24/2010	 27 pg, 84.18 KB	Unopposed MOTION by United States of America to file amicus brief in support of petition for rehearing en banc [6635525-2] Date of service: 09/24/2010 via email - Attorney for Appellant: de la O; Attorney for Appellee(s): Voss, Wilkerson [08-10630, 08-10631] REVIEWED AND/OR EDITED. UNOPPOSED MOTION by Amicus Curiae USA in 08-10630 and Amicus Curiae USA in 08-10631 to file amicus brief in support of petition for rehearing en banc [6635525-2] [08-10630, 08-10631] (Dirk Phillips)
09/24/2010	APPEARANCE FORM FILED by Attorney(s) Dirk Christian Phillips for party(s) Amicus Curiae USA, in case 08-10631 Attorney(s) Dirk Christian Phillips for party(s) Amicus Curiae USA, in case 08-10630 [08-10630, 08-10631] (GRM)	
09/29/2010	 23 pg, 73.61 KB	RESPONSE/OPPPOSITION filed by City of Arlington in 08-10630, 08-10631 [6638583-1] to the petition for rehearing en banc filed by Appellants Mr. Joey Salas, Mr. Scott Updike, Mr. J N, Mr. Wendell Decker, Mr. Richard Frame and Mr. Mark Hamman in 08-10630, 08-10631 [6622024-2] Date of Service: 09/29/2010 via email - Attorney for Appellant: de la O; Attorney for Appellee(s): Voss, Wilkerson; Attorney for Not Party: Phillips. [08-10630, 08-10631] (Edwin Armstrong Price Voss Jr.)
10/01/2010	 2 pg, 120.27 KB	COURT ORDER granting motion to file amicus brief [6635525-2] filed by USA in 08-10631 Judge(s): EGJ. [08-10630, 08-10631] (GRM)
10/01/2010	 24 pg, 205.65 KB	AMICUS CURIAE BRIEF FILED by USA in 08-10630, 08-10631. Consent is Not Necessary a Motion has been Granted. # of Copies Provided: 0 Paper Copies of Brief due on 10/06/2010 for Amicus Curiae United States of America. [08-10630, 08-10631] (GRM)
10/05/2010	 1 pg, 89.51 KB	Paper copies of amicus brief filed by Amicus Curiae USA in 08-10630, 08-10631 received. Paper copies match electronic version of document? Yes They require: not enough copies received. Only 7 copies received need 14 more. # of Copies Provided: 7. Paper Copies of Brief due deadline









		satisfied. Sufficient Paper Copies of Brief due on 10/12/2010 for Amicus Curiae United States of America [08-10630, 08-10631] (GRM)
10/07/2010		Paper copies of Brief [6643621-2] received as sufficient. # of Copies Provided: 14 Sufficient Paper Copies of Brief due deadline satisfied. [08-10630, 08-10631] (GRM)
10/07/2010		APPEARANCE FORM FILED by Attorney(s) Jessica Dunsay Silver for party(s) Amicus Curiae USA, in case 08-10631 Attorney(s) Jessica Dunsay Silver for party(s) Amicus Curiae USA, in case 08-10630 [08-10630, 08-10631] (GRM)
10/19/2010	 6 pg, 253.7 KB	SUPPLEMENTAL AUTHORITIES (FRAP 28j) IN SUPPORT OF REHEARING EN BANC, FILED by Appellee City of Arlington in 08-10630, 08-10631 Date of Service: 10/19/2010 via email - Attorney for Amicus Curiae(s): Phillips, Silver; Attorney for Appellant: de la O; Attorney for Appellee(s): Voss, Wilkerson [08-10630, 08-10631] REVIEWED AND/OR EDITED. Date of Service: 10/19/2010 [08-10630, 08-10631] (Edwin Armstrong Price Voss Jr.)
01/26/2011	 2 pg, 73.7 KB	COURT ORDER granting petition for rehearing en banc filed by Appellants Mr. Joey Salas, Mr. Scott Updike, Mr. J N, Mr. Wendell Decker, Mr. Richard Frame and Mr. Mark Hamman [6622024-2] A/Pet Supplemental Brief due on 02/28/2011 for Appellant Wendell Decker, Appellant Richard Frame, Appellant Mark Hamman, Appellant J N, Appellant Joey Salas and Appellant Scott Updike. E/Res Supplemental Brief due on 04/01/2011 for Appellee City of Arlington.. Miscellaneous due on 04/01/2011 for Appellee City of Arlington, and Miscellaneous due on 02/28/2011 for Appellant Wendell Decker, Appellant Richard Frame, Appellant Mark Hamman, Appellant J N, Appellant Joey Salas and Appellant Scott Updike to send in 20 copies of their opening briefs and record excerpts to be sent to the en banc court when the en banc calendar issued; reopening case [6726105-2] Judge(s): EB. [08-10630, 08-10631] (GAM)
01/27/2011		CASE TENTATIVELY calendared for EN BANC oral argument for the week of 05/23/2011. [08-10630, 08-10631] (GAM)
02/28/2011	 24 pg, 213.49 KB	APPELLANT'S SUPPLEMENTAL BRIEF FILED by Mr. Wendell Decker, Mr. Richard Frame, Mr. Mark Hamman, Mr. J N, Mr. Joey Salas and Mr. Scott Updike in 08-10630, 08-10631 Date of service: 02/28/2011 via email - Attorney for Amicus Curiae(s): Phillips, Silver; Attorney for Appellant: de la O; Attorney for Appellee(s): Voss, Wilkerson [08-10630, 08-10631] REVIEWED AND/OR EDITED. . # of Copies Provided: 0 Paper Copies of Brief due on 03/07/2011 for Appellant Wendell Decker, Appellant Richard Frame, Appellant Mark Hamman, Appellant J N, Appellant Joey Salas and Appellant Scott Updike. [08-10630, 08-10631] (Miguel M. de la O)
03/03/2011		Paper copies of appellant supplement brief filed by Appellants Mr. Joey Salas, Mr. Scott Updike, Mr. J N, Mr. Wendell Decker, Mr. Richard Frame and Mr. Mark Hamman in 08-10630, 08-10631 received. Paper copies match electronic version of document? Yes # of Copies Provided: 20. Paper Copies of Brief due deadline satisfied. [08-10630, 08-10631] (NFD)



03/07/2011	 26 pg, 167.12 KB	AMICUS CURIAE BRIEF FILED by United States. Date of service: 03/07/2011 via email - Attorney for Amicus Curiae(s): Phillips, Silver; Attorney for Appellant: de la O; Attorney for Appellee(s): Voss, Wilkerson [08-10630, 08-10631] REVIEWED AND/OR EDITED. AMICUS CURIAE BRIEF FILED Consent is Not Necessary as Amicus is a Government Entity. # of Copies Provided: 0 Paper Copies of Brief due on 03/16/2011 for Amicus Curiae United States of America. [08-10630, 08-10631] (Dirk Phillips)
03/07/2011	 1 pg, 83.78 KB	Attorney Mary Ellen Signorille for Amicus Curiae AARP is advised to resubmit appearance form. Reason: No signature on appearance form. [08-10630, 08-10631] (MAS)
03/11/2011	 27 pg, 210.55 KB	DOCUMENT RECEIVED - NO ACTION TAKEN. No action will be taken at this time on the Brief of Amicus filed by AARP, because a Motion for leave to file amicus brief is needed. [08-10630, 08-10631] (NFD)
03/11/2011	 31 pg, 144.42 KB	UNOPPOSED MOTION by Mary Ellen Signorille to file amicus brief [6760412-2] Date of service: 03/11/2011 via email - Attorney for Amicus Curiae(s): Phillips, Silver; Attorney for Appellant: de la O; Attorney for Appellee(s): Voss, Wilkerson [08-10630, 08-10631] (Mary Ellen E Signorille)
03/14/2011		Paper copies of amicus brief received. Paper copies match electronic version of document? Yes. # of Copies Provided: 20. Paper Copies of Brief due deadline satisfied. [08-10630, 08-10631] (MKC)
03/18/2011		CASE CAPTION updated. Amicus Curiae AARP in 08-10630 and Amicus Curiae AARP in 08-10631 added to case. Reason: motion to file amicus brief in support of appellant's supplemental brief en banc granted. [08-10630, 08-10631] (MKC)
03/18/2011	 2 pg, 145.94 KB	COURT ORDER granting unopposed motion to file amicus brief on rehearing en banc in support of appellants [6760412-2] filed by AARP in 08-10630 Judge(s): EHJ. [08-10630, 08-10631] (MKC)
03/18/2011	 27 pg, 225.54 KB	AMICUS CURIAE BRIEF FILED by AARP in 08-10630. Consent is Not Necessary a Motion has been Granted. # of Copies Provided: 0 Paper Copies of Brief due on 03/25/2011 for Amicus Curiae AARP. [08-10630, 08-10631] (MKC)
04/01/2011	 58 pg, 636.83 KB	APPELLEE'S SUPPLEMENTAL BRIEF FILED by City of Arlington in 08-10630, 08-10631 Date of service: April 1, 2011 via email - Attorney for Amicus Curiae(s): Phillips, Signorille, Silver; Attorney for Appellant: de la O; Attorney for Appellee(s): Voss, Wilkerson [08-10630, 08-10631] REVIEWED AND/OR EDITED. . # of Copies Provided: 0 E/Res's Supplemental Brief deadline satisfied. Paper Copies of Brief due on 04/11/2011 for Appellee City of Arlington. [08-10630, 08-10631] (Edwin Armstrong Price Voss Jr.)
04/01/2011		Paper copies of appellee supplement brief filed by Appellee City of Arlington in 08-10630, 08-10631 received. Paper copies match electronic version of document? Yes # of Copies Provided: 20. Paper Copies of Brief due deadline satisfied. [08-10630, 08-10631] (NFD)
04/04/2011		Attorney James Pinson for Amicus Curia City of Dallas is advised to

	1 pg, 85.17 KB	resubmit appearance form. Reason: Multiple forms attached. Each attorney must file his/her own form separately. [08-10630, 08-10631] (MAS)
04/04/2011		Paper copies of amicus brief filed by Amicus Curiae AARP in 08-10630, 08-10631 received. Paper copies match electronic version of document? Yes They require: need appearance form from Ms. Signorille # of Copies Provided: 20. Paper Copies of Brief due deadline satisfied.. Sufficient Paper Copies of Brief due on 04/08/2011 for Amicus Curiae AARP [08-10630, 08-10631] (NFD)
04/05/2011		CASE CALENDARED for En Banc rehearing on 05/24/2011 in New Orleans in the En Banc Courtroom - 9:00 AM Session. In accordance with our policy, lead counsel only will receive via email at a later date a copy of the court's docket and an acknowledgment form. All other counsel of record should monitor the court's website for the posting of the oral argument calendars. [08-10630, 08-10631] (PFT)
04/06/2011	 48 pg, 250.29 KB	MOTION by City of Huntsville, Alabama and International Municipal Lawyers Association to file amicus brief [6782225-2] Date of service: 04/06/2011 via email - Attorney for Amicus Curiae(s): Phillips, Signorille, Silver; Attorney for Appellant: de la O; Attorney for Appellee(s): Voss, Wilkerson [08-10630, 08-10631] (David Jonathon Canupp)
04/07/2011	 36 pg, 702.48 KB	UNOPPOSED MOTION by City of Dallas, Texas Municipal League and National League of Cities to file amicus brief [6783283-2] Date of service: 04/07/2011 via email - Attorney for Amicus Curiae(s): Phillips, Signorille, Silver; Attorney for Appellant: de la O; Attorney for Appellee(s): Voss, Wilkerson [08-10630, 08-10631] (Barbara Elaine Rosenberg)
04/12/2011		APPEARANCE FORM FILED by Attorney Mary Ellen E Signorille for Amicus Curiae AARP in 08-10630 [08-10630, 08-10631] (NFD)
04/12/2011		Paper copies of Brief [6780969-2] received as sufficient. Sufficient Paper Copies of Brief due deadline satisfied. [08-10630, 08-10631] (NFD)
04/15/2011		CASE CAPTION updated. Amicus Curiae City of Huntsville,Alabama, City of Dallas and National League of Cities in 08-10630 and Amicus Curiae City of Huntsville,Alabama, City of Dallas and National League of Cities in 08-10631 added to case. [08-10630, 08-10631] (NFD)
04/15/2011	 5 pg, 186.18 KB	COURT ORDER - motion of City of Huntsville, Alabama and International Municipal Lawyers Association to file amicus brief is GRANTED. IT IS FURTHER ORDERED - the unopposed motion of City of Dallas, Texas Municipal League and National League of Cities to file amicus brief is GRANTED. [6783283-2], [6782225-2] Judge(s): EHJ. [08-10630, 08-10631] (NFD)
04/15/2011	 44 pg, 286.81 KB	AMICUS CURIAE BRIEF FILED by City of Huntsville,Alabama and International Municipal Lawyers Association in 08-10630, 08-10631. Consent is Not Necessary a Motion has been Granted. # of Copies Provided: 0 Paper Copies of Brief due on 04/20/2011 for Amicus Curiae City of Huntsville,Alabama and Amicus Curiae International Municipal Lawyers Association. [08-10630, 08-10631] (NFD)
04/15/2011	 34 pg, 532.16 KB	AMICUS CURIAE BRIEF FILED by City of Dallas, National League of Cities and Texas Municipal League in 08-10630, 08-10631. Consent is Not

		Necessary a Motion has been Granted. # of Copies Provided: 0 Paper Copies of Brief due on 04/20/2011 for Amicus Curiae City of Dallas, Amicus Curiae National League of Cities and Amicus Curiae Texas Municipal League. [08-10630, 08-10631] (NFD)
04/15/2011		APPEARANCE FORM FILED by Attorney Barbara Elaine Rosenberg for Amicus Curiae City of Dallas in 08-10630 [08-10630, 08-10631] (NFD)
04/15/2011		APPEARANCE FORM FILED by Attorney Christopher John Caso for Amicus Curiae City of Dallas in 08-10630 [08-10630, 08-10631] (NFD)
04/15/2011		Attorney Scott Houston added as counsel of record for Amicus Curiae Texas Municipal League in 08-10630 and Amicus Curiae Texas Municipal League in 08-10631 [08-10630, 08-10631] (NFD)
04/15/2011		Attorney Devala Janardan added as counsel of record for Amicus Curiae International Municipal Lawyers Association in 08-10630 and Amicus Curiae International Municipal Lawyers Association in 08-10631 [08-10630, 08-10631] (NFD)
04/18/2011		Paper copies of amicus brief filed by Amici Curiae International Municipal Lawyers Association and City of Huntsville,Alabama in 08-10630, 08-10631 received. Paper copies match electronic version of document? Yes # of Copies Provided: 20. Paper Copies of Brief due deadline satisfied. [08-10630, 08-10631] (NFD)
04/18/2011		Paper copies of amicus brief filed by Amici Curiae Texas Municipal League, National League of Cities and City of Dallas in 08-10630, 08-10631 received. Paper copies match electronic version of document? Yes # of Copies Provided: 20. Paper Copies of Brief due deadline satisfied. [08-10630, 08-10631] (NFD)
04/25/2011		APPEARANCE FORM FILED by Attorney David Jonathon Canupp for Amicus Curiae City of Huntsville,Alabama in 08-10630 [08-10630, 08-10631] (NFD)
04/25/2011		APPEARANCE FORM FILED by Attorney George W. Royer Jr. for Amicus Curiae City of Huntsville,Alabama in 08-10630 [08-10630, 08-10631] (NFD)
04/27/2011		APPEARANCE FORM FILED by Attorney Scott N Houston for Amicus Curiae National League of Cities in 08-10630, for Amicus Curiae Texas Municipal League in 08-10630, for Amicus Curiae International Municipal Lawyers Association, in case 08-10630 [08-10630, 08-10631] (NFD)
05/05/2011	 1 pg, 84.2 KB	Attorney Mr. Devala Janardan for Amicus Curiae International Municipal Lawyers Association in 08-10630 is advised to resubmit appearance form. Failed to have an original certificate of good standing issued with in 30 days.[08-10630, 08-10631] (MAS)
05/10/2011	 4 pg, 12.31 KB	UNOPPOSED MOTION filed by Amicus Curiae USA in 08-10630, 08-10631 to participate in oral argument [6808738-2]. Date of service: 05/10/2011 via email - Attorney for Amicus Curiae(s): Canupp, Caso, Houston, Janardan, Phillips, Pinson, Rosenberg, Royer, Signorille, Silver; Attorney for Appellant: de la O; Attorney for Appellee(s): Voss, Wilkerson [08-10630, 08-10631] (Jessica Dunsay Silver)

05/10/2011	 1 pg, 17.01 KB	LETTER filed by Amicus Curiae USA in 08-10630, 08-10631 To request the removal of Dirk C. Phillips from the docket. Date of Service: 05/10/2011 via email - Attorney for Amicus Curiae(s): Canupp, Caso, Houston, Janardan, Phillips, Pinson, Rosenberg, Royer, Signorille, Silver; Attorney for Appellant: de la O; Attorney for Appellee(s): Voss, Wilkerson [08-10630, 08-10631] (Dirk Phillips)
05/10/2011	 1 pg, 20.7 KB	ATTORNEY NOT PARTICIPATING. Dirk Phillips is designated as inactive in this case. Reason:no longer involved in appeal. [08-10630, 08-10631] (NFD)
05/12/2011	 2 pg, 101.67 KB	COURT ORDER granting the unopposed motion to participate in oral argument sharing 15 minutes of the 30 minutes allotted to appellants filed by Amicus Curiae USA [6808738-2] Judge(s): EHJ. [08-10630, 08-10631] (PFT)
05/12/2011		APPEARANCE FORM FILED by Attorney(s) Samuel R. Bagenstos for party(s) Amicus Curiae USA, in case 08-10631 Attorney(s) Samuel R. Bagenstos for party(s) Amicus Curiae USA, in case 08-10630 [08-10630, 08-10631] (NFD)
05/18/2011		APPEARANCE FORM FILED by Attorney Devala Janardan for Amicus Curiae International Municipal Lawyers Association in 08-10630 Miscellaneous deadline satisfied [08-10630, 08-10631] (NFD)
05/24/2011		EN BANC ORAL ARGUMENT HEARD before Judges Jones, King, Jolly, Davis, Smith, Garza, Benavides, Stewart, Dennis, Clement, Prado, Owen, Elrod, Southwick, Haynes. Arguing Person Information Updated for: Samuel R. Bagenstos arguing for Amicus Curiae United States of America; Arguing Person Information Updated for: Edwin Armstrong Price Voss, Jr. arguing for Appellee City of Arlington; Arguing Person Information Updated for: Miguel M. de la O arguing for Appellants Richard Frame, Wendell Decker, Scott Updike, J N, Mark Hamman, and Joey Salas; Arguing Person Information Updated for: Samuel R. Bagenstos arguing for Amicus Curiae United States of America; Arguing Person Information Updated for: Edwin Armstrong Price Voss, Jr. arguing for Appellee City of Arlington; Arguing Person Information Updated for: Miguel M. de la O arguing for Appellants Richard Frame, Wendell Decker, Scott Updike, J N, Mark Hamman, and Joey Salas [08-10630, 08-10631] (PFT)
05/31/2011	 10 pg, 733.21 KB	SUPPLEMENTAL AUTHORITIES (FRAP 28j) FILED by Appellee City of Arlington in 08-10630, 08-10631 Date of Service: 05/31/2011 via US mail - Attorney for Amicus Curiae(s): Bagenstos, Janardan; email - Attorney for Amicus Curiae(s): Canupp, Caso, Houston, Pinson, Rosenberg, Royer, Signorille, Silver; Attorney for Appellant: de la O; Attorney for Appellee(s): Voss, Wilkerson [08-10630, 08-10631] (Edwin Armstrong Price Voss Jr.)
06/17/2011	 93 pg, 343.06 KB	LETTER filed by Amicus Curiae USA in 08-10630, 08-10631 To address constitutional questions raised in oral argument. Date of Service: 06/17/2011 via email - Attorney for Amici Curiae: Bagenstos, Canupp, Caso, Houston, Pinson, Rosenberg, Royer, Signorille, Silver; Attorney for Appellant: de la O; Attorney for Appellees: Voss, Wilkerson; US mail - Attorney for Amicus Curiae: Janardan [08-10630, 08-10631] (Samuel R. Bagenstos)

06/21/2011	 2 pg, 36.15 KB	LETTER filed by Appellee City of Arlington in 08-10630, 08-10631 referencing letter filed by Amicus Curiae USA in 08-10630, 08-10631 [6837998-2]. Date of Service: 06/21/2011 via email - Attorney for Amici Curiae: Bagenstos, Canupp, Caso, Houston, Pinson, Rosenberg, Royer, Signorille, Silver; Attorney for Appellant: de la O; Attorney for Appellees: Voss, Wilkerson; US mail - Attorney for Amicus Curiae: Janardan [08-10630, 08-10631] (Edwin Armstrong Price Voss Jr.)
07/28/2011		APPEARANCE FORM FILED by Attorney(s) David Ferleger for party(s) Appellant Scott Updike, Appellant Richard Frame Appellant J N, Appellant Joey Salas .Appellant Mark Hamman , Appellant Wendell Decker, in case 08-10630, 08-10631 [08-10630, 08-10631] (NFD)
08/16/2011		APPEARANCE FORM FILED by Attorney(s) Sasha M. Samberg-Champion for party(s) Amicus Curiae USA, in case 08-10631 Attorney(s) Sasha M. Samberg-Champion for party(s) Amicus Curiae USA, in case 08-10630 [08-10630, 08-10631] (NFD)
08/16/2011	 1 pg, 21.45 KB	LETTER filed by Amicus Curiae USA in 08-10630, 08-10631 Letter Informing Court of Substitution of Lead Counsel. Date of Service: 08/16/2011 via email - Attorney for Amici Curiae: Bagenstos, Canupp, Caso, Houston, Pinson, Rosenberg, Royer, Samberg-Champion, Signorille, Silver; Attorney for Appellants: Ferleger, de la O; Attorney for Appellees: Voss, Wilkerson; US mail - Attorney for Amicus Curiae: Janardan [08-10630, 08-10631] (Sasha M. Samberg-Champion)
08/17/2011	 1 pg, 21.82 KB	ATTORNEY NOT PARTICIPATING. Samuel R. Bagenstos is designated as inactive in this case. Reason:no longer involved in appeal. [08-10630, 08-10631] (NFD)
09/15/2011	 63 pg, 621.83 KB	PUBLISHED OPINION FILED. [08-10630 Vacated & Remanded 08-10631 Vacated & Remanded] Judge: FPB , Judge: ECP , Judge: EGJ, joined by EHJ, JES, EMG, EBC, PRO & JWE dissents in part and concurs in part. Mandate pull date is 10/06/2011 [08-10630, 08-10631] (RMF)
09/15/2011	 2 pg, 72.47 KB	JUDGMENT ENTERED AND FILED. [08-10630, 08-10631] (RMF)
09/15/2011		COSTS TAXED AGAINST: defendant-appellee [08-10630, 08-10631] (RMF)
09/29/2011	 10 pg, 27.78 KB	UNOPPOSED MOTION filed by Appellee City of Arlington in 08-10630, 08-10631 to stay issuance of the mandate [6915420-2]. Date of service: 09/29/2011 via email - Attorney for Amici Curiae: Canupp, Caso, Houston, Pinson, Rosenberg, Royer, Samberg-Champion, Signorille, Silver; Attorney for Appellants: Ferleger, de la O; Attorney for Appellees: Voss, Wilkerson; US mail - Attorney for Amicus Curiae: Janardan [08-10630, 08-10631] (Edwin Armstrong Price Voss Jr.)
10/03/2011	 2 pg, 158.7 KB	COURT ORDER denying motion to stay issuance of the mandate filed by Appellee City of Arlington [6915420-2] Judge(s): FPB. [08-10630, 08-10631] (MKC)
10/07/2011	 2 pg, 88.41 KB	MANDATE ISSUED. Mandate pull date satisfied. [08-10630, 08-10631] (NFD)

12/19/2011	 1 pg, 42.25 KB	SUPREME COURT NOTICE that petition for writ of certiorari [6975989-2] was filed by Appellee City of Arlington in 08-10630, 08-10631 on 12/14/2011. Supreme Court Number: 11-746. [08-10630, 08-10631] (CAV)
02/22/2012	 2 pg, 107.69 KB	SUPREME COURT ORDER received denying petition for writ of certiorari filed by Appellee City of Arlington in 08-10630, 08-10631 on 02/21/2012. [7021222-1] [08-10630, 08-10631] (LGL)

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