

TERMED

**U.S. District Court
Eastern District of Kentucky (Lexington)
CIVIL DOCKET FOR CASE #: 5:01-cv-00480-KSF**

Amer Civil Liberties, et al v. Mercer Cty Kentucky, et al
Assigned to: Judge Karl S. Forester
Demand: \$0
Case in other court: 03-05142
Cause: 42:1983 Civil Rights Act

Date Filed: 11/27/2001
Date Terminated: 01/22/2003
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

**American Civil Liberties Union Of
Kentucky**

represented by **Caroline L. Laurie Griffith**
American Civil Liberties Union
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Plaintiff

Bart McQueary

represented by **Caroline L. Laurie Griffith**
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V.

Defendant

Mercer County, Kentucky

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Defendant

Charles H. McGinnis
in his official capacity as Mercer County

represented by **Erik W. Stanley**
(See above for address)

Judge Executive

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

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Mathew D. Staver
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Date Filed	#	Docket Text
11/27/2001	1	COMPLAINT (2 summons(es) issued) with copy, Fee Paid \$ 150.00, Receipt No. 095048 and given to atty for service (DC) (Entered: 11/28/2001)
12/17/2001	2	MOTION by plaintiff Amer Civil Liberties, plaintiff Bart McQueary for preliminary injunction (CBD) (Entered: 12/17/2001)
12/17/2001	3	MEMORANDUM by plaintiff Amer Civil Liberties, plaintiff Bart McQueary in support of motion for preliminary injunction [2-1] (CBD) (Entered: 12/17/2001)
12/21/2001	4	ANSWER by defendant to COMPLAINT [1-1] (DC) (Entered: 12/26/2001)
01/02/2002	5	MOTION by defendant Mercer Cty Kentucky, defendant Charles H. McGinnis for summary judgment (DC) (Entered: 01/02/2002)
01/02/2002	6	MEMORANDUM by defendant Mercer Cty Kentucky, defendant Charles H. McGinnis in support of motion for summary judgment [5-1] (DC) (Entered: 01/02/2002)
01/07/2002	7	ORDER FOR MEETING AND REPORT by Chief Judge Karl S. Forester counsel to conduct meeting by 02/07/02; exchange discl FILE written JOINT REPORT by 02/17/02; (cc: all counsel) [EOD Date: 1/7/02] (DC) (Entered: 01/07/2002)
01/17/2002	8	STIPULATION FOR ENLARGEMENT OF TIME for plfff reply brief in support of their preliminary injunction motion; 4 day enlargement of time re [2-1] (DC) (Entered: 01/18/2002)
01/18/2002	9	STIPULATION FOR SUPPLEMENTAL ENLARGEMENT OF TIME by parties; defts kindly have stipulated to a supplemental one business day enlargement of time through 1/22/02 for the filing of plfffs consolidated reply brief (DC) (Entered: 01/23/2002)
01/23/2002	10	MOTION by plaintiffs for leave to file reply/response brief one day late (DC) (Entered: 01/24/2002)
01/23/2002		PROPOSED Reply Memorandum in Support of Pltfs Motion for Preliminary Injunction & in Opposition to defts motion for sum jgm tendered by plaintiff Amer Civil Liberties, plaintiff Bart McQueary (DC) (Entered: 01/24/2002)

01/24/2002	11	REPLY by plaintiff Amer Civil Liberties, plaintiff Bart McQueary to response to motion for preliminary injunction [2-1] (DC) (Entered: 01/24/2002)
01/24/2002	11	OPPOSITION by plaintiff Amer Civil Liberties, plaintiff Bart McQueary to motion for summary judgment [5-1] (DC) (Entered: 01/24/2002)
01/24/2002	12	ORDER by Chief Judge Karl S. Forester granting motion for leave to file reply/response brief one day late [10-1] (cc: all counsel) [EOD Date: 1/24/02] (DC) (Entered: 01/24/2002)
02/05/2002	13	REPLY by defendant Mercer Cty Kentucky, defendant Charles H. McGinnis to response to motion for summary judgment [5-1] (DC) (Entered: 02/05/2002)
02/05/2002	13	OPPOSITION by defendant Mercer Cty Kentucky, defendant Charles H. McGinnis to motion for preliminary injunction [2-1] (DC) (Entered: 02/05/2002)
02/21/2002	14	REPORT OF PARTIES PLANNING MEETING (DC) (Entered: 02/21/2002)
02/25/2002	15	NOTICE by plaintiffs of Related Decision (DC) (Entered: 02/25/2002)
02/28/2002	16	NOTICE OF COMPLIANCE WITH LOCAL RULE 7.1(j) by dfts (SKV) (Entered: 02/28/2002)
03/11/2002	17	NOTICE OF RELATED DECISIONS by plaintiff Amer Civil Liberties, plaintiff Bart McQueary (CBD) (Entered: 03/11/2002)
03/13/2002	18	NOTICE by defendants of Supplemental Authority (DC) (Entered: 03/13/2002)
05/20/2002	19	NOTICE by plaintiffs of Related Decision (ACLU of KY v. Grayson Cty KY) copy attached (DC) (Entered: 05/21/2002)
07/09/2002	20	ORDER by Chief Judge Karl S. Forester: matter SET for hearing on pending matters 8/22/02 @ 9:00 AM (cc: all counsel) [EOD Date: 7/9/02] (SKV) (Entered: 07/09/2002)
07/15/2002	21	MAIL Returned [20-1] addressed Caroline Griffith to plaintiff Amer Civil Liberties (DC) (Entered: 07/16/2002)
08/22/2002	24	GENERAL MINUTES OF HEARING ON PENDING MATTERS HELD before Judge Forester on 08/22/02; Court Reporter, Cindy Hutchinson; 1) Court finds plaintiffs have proper standing to bring action; 2) plaintiffs' mtn for preliminary injunction [2-1] DENIED; 3) dfts' mtn for sum/jgm [5-1] DENIED w/out prejudice; 4) Cnsl granted 120 days to complete discovery; Court's more detailed written opinion will follow (cc: all counsel) [EOD Date: 8/28/02] (SKV) (Entered: 08/28/2002)
08/23/2002	22	NOTICE OF ATTORNEY APPEARANCE for defendant by Mathew D. Staver, Erik W. Stanley (RSB) (Entered: 08/23/2002)
08/23/2002	23	MOTION by defendant for attorney Erik W. Stanley to appear pro hac vice (RSB) (Entered: 08/23/2002)
08/23/2002		FEE PAID \$ 65.00, Receipt No. 101836 (RSB) (Entered: 08/23/2002)
08/23/2002		SUBMITTED re motion for attorney Erik W. Stanley to appear pro hac vice [23-1] is submitted (RSB) (Entered: 08/23/2002)
08/28/2002	25	ORDER by Chief Judge Karl S. Forester: 1) dft mtn for atty Erik W. Stanley to appear

		pro hac vice [23-1] GRANTED; 2) atty admitted to appear pro hac vice as co-cnsl for dfts; 3) atty subject to jurisdiction and rules of KY Supreme Court governing professional conduct (cc: all counsel) [EOD Date: 8/28/02] (SKV) (Entered: 08/28/2002)
08/29/2002	26	MOTION by dft Mercer Cty Kentucky, Charles H. McGinnis for attorney Mathew D. Staver to appear pro hac vice FEE PD 101862 (KJR) (Entered: 08/29/2002)
09/04/2002	27	MAIL Returned [25-1] addressed to Caroline L. Laurie Griffith (SKV) (Entered: 09/04/2002)
09/06/2002	28	MEMORANDUM OPINION & ORDER by Chief Judge Karl S. Forester: 1) pla mtn for preliminary injunction [2-1] DENIED; 2) dfts' mtn for sum/jgm [6-1] DENIED; 3) ptys granted 120 days from 8/22/02 to conduct discovery (cc: all counsel) [EOD Date: 9/6/02] (SKV) (Entered: 09/06/2002)
09/16/2002	29	MAIL Returned [28-1], [28-2] addressed to Caroline Griffith (JM) (Entered: 09/16/2002)
09/20/2002	30	ORDER by Chief Judge Karl S. Forester. Matter beforecourt sua sparte; plas atty to direct court w/in 10 days as to whether atty Caroline Griffith will remain atty of record in cas. If so, she is to inform court of new address w/in 10 days (cc: all counsel) [EOD Date: 9/20/02] (SKV) (Entered: 09/20/2002)
09/26/2002	31	MAIL Returned addressed to caroline griffith, esq. Moved/left no forwarding address [30-1] (JM) (Entered: 09/26/2002)
10/04/2002	32	NOTICE by pla Amer Civil Liberties of new address for C. Griffith (JM) (Entered: 10/04/2002)
11/12/2002	33	ORDER by Chief Judge Karl S. Forester 1) dfts mtn for pro hac vice [26-1] GRANTED; 2) atty shall be permitted to appear pro hac vice as co counsel for dfts; 3) said atty subject to jurisdiction and rules of KY supreme court (cc: all counsel) [EOD Date: 11/12/02] (JM) (Entered: 11/12/2002)
12/24/2002	34	RENEWED MOTION by dfts Mercer Cty Kentucky, Charles H. McGinnis for summary judgment w/ memo in support attached (JM) (Entered: 12/26/2002)
01/10/2003	35	STIPULATION FOR ENLARGEMENT OF TIME -plas to respond to dfts renewed mtn for sumjgm [34-1] by 01/17/03 (JM) (Entered: 01/13/2003)
01/17/2003	36	RESPONSE by plas to dfts renewed mtn for summary judgment [34-1] (JM) Modified on 01/21/2003 (Entered: 01/17/2003)
01/22/2003	37	REPLY by dfts to plas response to renewed mtn for sumjgm [34-1] (JM) (Entered: 01/22/2003)
01/22/2003	38	OPINION & ORDER by Chief Judge Karl S. Forester: 1) dfts' mtn for sum/jgm [34-1] GRANTED & judgment entered (cc: all counsel) [EOD Date: 1/22/03] (SKV) (Entered: 01/22/2003)
01/22/2003	39	JUDGMENT by Chief Judge Karl S. Forester: 1) summary judgment entered in favor of dfts & plaintiffs claims are DISMISSED WITH PREJUDICE; 2) Jgm FINAL; 3) matter STRICKEN from docket (cc: all counsel) [EOD Date 1/22/03] (SKV) (Entered: 01/22/2003)

01/27/2003	40	NOTICE OF APPEAL by plas from Dist. Court decision [38-1] (cc: all counsel) (JM) (Entered: 01/30/2003)
01/27/2003		RECEIVED re [40-1] fee in amount of \$ 105.00 (Receipt # 099963) (JM) (Entered: 01/30/2003)
01/27/2003	41	NOTIFICATION to 6CCA; Short Record Mailed, Appeal Package Mailed to Appellant, Copy of Docket Sheet to Parties; [40-1] (cc: all counsel) (JM) (Entered: 01/30/2003)
02/10/2003	42	NOTIFICATION by 6CCA of Appellate Docket Number 03-5142 (JM) (Entered: 02/10/2003)
02/12/2003	43	TRANSCRIPT DESIGNATION and Ordering Form; transcript is unnecessary for appeal purposes (JM) (Entered: 02/13/2003)
10/23/2003	44	NOTICE OF DEATH OF REPRESENTATIVE DEFENDANT AND NOTICE OF SUBSTITUTION by dfts (JM) (Entered: 10/23/2003)
12/22/2005	45	USCA JUDGMENT as to 40 Notice of Appeal filed by American Civil Liberties Union Of Kentucky, Bart McQueary, ORDERED that judgment of district court is AFFIRMED (LKM) (Entered: 12/22/2005)
01/27/2006	46	NOTICE of Change of Address by Erik W. Stanley, Mathew D. Staver (LKM) (Entered: 01/27/2006)
04/25/2006	47	INFORMATION COPY OF ORDER/JUDGMENT of USCA as to 40 Notice of Appeal filed by American Civil Liberties Union Of Kentucky, Bart McQueary denying request for rehearing. (LKM) (Entered: 04/26/2006)
05/04/2006	48	MANDATE of USCA as to 40 Notice of Appeal filed by American Civil Liberties Union Of Kentucky, Bart McQueary (LKM) (Entered: 05/04/2006)

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