

TERMED

**U.S. District Court
District of Colorado (Denver)
CIVIL DOCKET FOR CASE #: 1:98-cv-00926-JLK**

Dinh, et al v. Reno, et al
Assigned to: Judge John L. Kane
Demand: \$0
Case in other court: USDC Dist CO, 98-K-652
Cause: 28:1331 Federal Question: Bivens Act

Date Filed: 04/27/1998
Date Terminated: 01/31/2000
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: U.S. Government Defendant

Plaintiff

Thong Huan Van Dinh

represented by **Jim Salvator**
Jim Salvator, Attorney at Law
1643 Erin Way
Lafayette, CO 80026
303-604-0320
Fax: 303-604-2024
Email: salvator@igc.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Oscar Garcia-Perez

represented by **Jim Salvator**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Meseret Antanaw Wassie

represented by **Jim Salvator**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Benigno Palaganas-Suarez

represented by **Jim Salvator**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Loi Nguyen

represented by **Jim Salvator**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Juan Cisneros

represented by **Jim Salvator**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff**Celeste Ferguson**

*JANE DOE and JOHN DOE as
 UNNAMED DETAINEES AT WCC/INS,
 individually, and on behalf of all other
 persons similarly situated*

represented by **Jim Salvator**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**Janet Reno**

*Attorney General, United States of
 America, in her official capacity*

represented by **Michael E. Hegarty**
 U.S. Attorney's Office-Denver
 1225 Seventeenth Street
 #700
 Denver, CO 80202
 303-454-0100
 Fax: 303-454-0404
 Email: michael.hegarty@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Janet (I) Reno**

as an individual

represented by **Michael E. Hegarty**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Joseph Greene**

*District Director, United States
 Immigration and Naturalization Service,
 Denver, Colorado, in his official capacity*

represented by **Michael E. Hegarty**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Joseph (I) Greene**

as an individual

represented by **Michael E. Hegarty**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|-------------------|----------|--|
| 04/27/1998 | 1 | Class Action COMPLAINT (former empl) (Entered: 04/28/1998) |

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| 04/27/1998 | | FILING FEE PAID on 4/27/98 in the amount of \$150.00, receipt # 195649. (former empl) (Entered: 04/28/1998) |
| 04/27/1998 | 2 | MOTION by plaintiff to maintain (certify) class action (former empl) (Entered: 04/28/1998) |
| 04/27/1998 | 3 | MOTION by plaintiffs to consolidate cases 98-K-926 & 98-K-652 (former empl) (Entered: 04/28/1998) |
| 04/27/1998 | 4 | MOTION by plaintiffs for temporary restraining order re denial of right to counsel due to prisoner transfer (former empl) (Entered: 04/28/1998) |
| 04/27/1998 | 5 | Memorandum of Law (BRIEF) by plaintiffs in support of motion for temporary restraining order re denial of right to counsel due to prisoner transfer [4-1] (former empl) (Entered: 04/28/1998) |
| 04/27/1998 | 6 | Initial RESPONSE by defendants to motion for temporary restraining order re denial of right to counsel due to prisoner transfer [4-1]; motion to consolidate cases 98-K-926 & 98-K-652 [3-1]; and motion to maintain (certify) class action [2-1] (former empl) (Entered: 04/28/1998) |
| 05/15/1998 | 7 | STATUS REPORT by defendants (former empl) (Entered: 05/19/1998) |
| 05/22/1998 | 8 | MOTION by government (defendants) to dismiss as moot (former empl) (Entered: 05/26/1998) |
| 05/26/1998 | 9 | RESPONSE by plaintiffs to motion to dismiss as moot [8-1] (former empl) (Entered: 05/27/1998) |
| 05/26/1998 | 10 | MINUTE ORDER by Judge John L. Kane setting hearing on motion to dismiss as moot [8-1] 9:30 6/3/98 (cc: all counsel) ; entry date : 5/27/98 (former empl) (Entered: 05/27/1998) |
| 06/01/1998 | 11 | REPLY by defendant in support of (to response to) motion to dismiss as moot [8-1] (former empl) (Entered: 06/01/1998) |
| 06/01/1998 | 12 | Correction (STATEMENT) by plaintiffs to motion response [9-1] (former empl) (Entered: 06/01/1998) |
| 06/03/1998 | 13 | COURTROOM MINUTES - Motion Hearing by Judge John L. Kane: hearing on motion to dismiss as moot [8-1] held at 9:30 6/3/98; hearing not really on motion but to find out where alleged missing persons are; counsel to report to court on where missing persons are; hrg continued to 6/10/98; entry date: 6/4/98; Court Reporter: Lucy Irwin (former empl) (Entered: 06/04/1998) |
| 06/10/1998 | 14 | MOTION by plaintiffs for reasonable attorney's fees & costs pursuant to EAJA (former empl) (Entered: 06/10/1998) |
| 06/10/1998 | 15 | Concurrence (RESPONSE) by plaintiffs with motion to dismiss as moot [8-1] (former empl) (Entered: 06/10/1998) |
| 06/10/1998 | 16 | COURTROOM MINUTES by Judge John L. Kane in court hrg held 6/10/98 ; granting motion to dismiss as moot [8-1]; only remaining issue is attys fees; gvt to respond to [14-1] motion for reasonable attorney's fees & costs pursuant to EAJA on or before 6/30/98, reply due 7/10/98; (finding the motion for tro re denial of right to counsel due to prisoner transfer [4-1] moot, finding the motion |

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| | | to consolidate cases 98-K-926 & 98-K-652 [3-1] moot, finding the motion to maintain (certify) class action [2-1] moot) entry date: 6/10/98; ECR Operator: Lucy Irwin (former empl) (Entered: 06/10/1998) |
| 06/26/1998 | 17 | RESPONSE by defendants to motion for reasonable attorney's fees & costs pursuant to EAJA [14-1] (former empl) (Entered: 06/29/1998) |
| 07/10/1998 | 18 | REPLY by plaintiffs to response to motion for reasonable attorney's fees & costs pursuant to EAJA [14-1] (former empl) (Entered: 07/13/1998) |
| 07/14/1998 | 19 | ORDER by Judge John L. Kane denying motion for reasonable attorney's fees & costs pursuant to EAJA [14-1] (cc: all counsel); entry date: 7/14/98 (former empl) (Entered: 07/14/1998) |
| 07/17/1998 | 20 | JUDGMENT by Clerk James R. Manspeaker regarding [19-1] order that no fees & costs awarded under EAJA (cc: all counsel); entry date: 7/17/98 (former empl) (Entered: 07/17/1998) |
| 07/21/1998 | 21 | ORDER by Judge John L. Kane granting motion to dismiss as moot [8-1] and dismissing case (cc: all counsel) ; entry : 7/21/98 (former empl) (Entered: 07/21/1998) |
| 08/17/1998 | 22 | NOTICE OF APPEAL by plaintiffs Thong Huan Van Dinh, Oscar Garcia-Perez, Meseret Antanaw Wassie, Benigno Palaganas-Suarez, Loi Nguyen, Juan Cisneros, and Celeste Ferguson re judgment [20-1] of 7/17/98 ; Notice of transcript order form due 8/27/98 ; Notice mailed to all counsel on 8/17/98 (former empl) (Entered: 08/17/1998) |
| 08/17/1998 | | \$100.00 fee and \$5.00 fee paid. Receipt No 198599. appeal [22-1] (former empl) (Entered: 08/17/1998) |
| 08/19/1998 | 23 | Case No. 98-1312 assigned by the Court of Appeals. [22-1] (gms) (Entered: 08/20/1998) |
| 09/22/1998 | 24 | NOTICE OF TRANSCRIPT ORDER FORM filed by plaintiffs/appellants ; (Transcript not necessary) appeal [22-1] (gms) (Entered: 09/23/1998) |
| 09/23/1998 | 25 | LETTER (Re: [22-1]) to USCA and all counsel advising that record is now complete...tof filed stating transcript not necessary. (gms) (Entered: 09/23/1998) |
| 12/09/1998 | 26 | TRANSCRIPT of proceedings of 6/3/98 Motions Hearing (pages 1-10) Prepared By: Federal Reporting (former empl) (Entered: 12/10/1998) |
| 12/09/1998 | 27 | TRANSCRIPT of proceedings of 6/10/98 Motions Hearing (pages 1-4) Prepared By: Federal Reporting (former empl) (Entered: 12/10/1998) |
| 01/11/2000 | 28 | MANDATE from the Court of Appeals; CA # 98-1312; Dt issued 1/10/00; JGM dated 11/18/99 Judgment is vacated and case is remanded for further proceedings [Appeal [22-1] (gms) (Entered: 01/12/2000) |
| 01/31/2000 | 29 | ORDER by Judge John L. Kane: pursuant to mandate of the 10th Circuit Court of Appeals [28-1] this case is dismissed with prejudice (cc: all counsel) ; entry date : 2/2/00 (lam) (Entered: 02/02/2000) |

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