

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 03-3095 & 03-4435

JOAQUIN DASILVA; MARIE ROSE JILSAIME; HECTOR TRELLES;
AKENIS MONTANE SANTOS; OSA OGBEGIE; ROBERTO RODRIGUEZ;
MANUEL VALDES; MARIA ROZADA DASILVA; MRS. VALDES (Per Quod)
Appellants in (03-4435)

v.

ESMOR CORRECTIONAL SERVICES, INC;
PORT AUTHORITY OF NEW YORK AND NEW JERSEY;
JOHN DOES, A-Z (names being fictitious);
ROBERT DOE, R.N., A-Z (names being fictitious)
PETER DOE, A-Z (names being fictitious)
ABC CORPORATION, A-Z (names being fictitious)

Esmor Correctional Services, Inc.,
Appellant in (03-3095)

(D.C. Civil Action No. 96-cv-03755)

No. 03-3096

HAWA ABDI JAMA; ABU BAKAR; CHARLES ADDAI; JOSEPH ACKAH;
BENJAMIN ANANG; KWEKU AWOTWE; YVETTE NSUKAMI BADIJOKO;
GONZALO CRESPO; JOSEPH DEBRAH; CECILIA KOU JEFFREY;
ANANTHARAJAH JEYAKUMAR; ABRAHAM KENNETH; NAGENDRAN
MANOHARAN; THOMAS KYEU MANU; DENNIS RAJI; SHAMIMU NANTEZA;
AGATHA SERWAA; JASMEL SINGH; FOLORUNSHO WASIU ALIBI; SARAH
TETTEH YOWER

v.

IMMIGRATION & NATURALIZATION SERVICE; ESMOR

CORRECTIONAL SERVICES INC.; JOHN DOE MCCLEAN;
NORMAN UZZLE; MICHAEL D. ROZOS; JOHN DOE
BOYER; JOHN DOE FREISS; JOHN DOE SILVA;
JAMES SLATTERY; AARON SPEISMAN; WILLARD STOVALL;
JOHN LIMA; JAMES POULAND; DIANE MCCLURE;
RICHARD STALEY; JOHN DOE BROWN; JOHN DOE BROWNDIE;
JANE DOE CLARK; JOHN DOE EDIDER; JOHN DOE FEDER;
JOHN DOE FIGEL; JOHN DOE GARCIA; JOHN DOE GILL;
JOHN DOE HAWKINS; JOHN DOE HAYES; JOHN DOE HIGGS;
JOHN DOE HUGHES; JOHN DOE HUNTER; JOHN DOE JACKSON;
JOHN DOE JOHNSON; JOHN DOE KUTZ; JOHN DOE MELENDEZ;
JANE DOE MICHELLE; JOHN DOE MOHAMMED; JOHN DOE NKENKE;
JANE DOE PHIL; JOHN DOE SNEED; JOHN DOE STRATFORD; JOHN DOE
VANDERPOOR; JOHN DOE WILLIAMS; JOHN DOE WILSON;
JOHN DOE WALLINGTON; JOHN AND JANE DOES 1-50; WILLIAM HIGGS;
UNITED STATES; DAVID MCCLEAN; EARLINE D. BOYER; ALAN FREISS;
KEVIN T. BRODIE; IRVING BROWN; TOMMIE L. BROWN; CATRINA CLARK;
LEONARD EADY; FRANK FIGEL; LUIS GARCIA;
DARRELL GILL; WINFRED HAWKINS; ISAIAH HUGHES;
DORIAN HUNTER; WILLIE O. HUNTER; MICHAEL JACKSON; PHILLIP
JOHNSON; MICHAEL MELENDEZ; OKAY NKENKE; ROBERT
SNEAD; COREY STRADFORD; MICHAEL TATE; AUGUSTUS VANDERPUYE;
WILLIAM WALLINGTON; NORMAN WILLIAMS,

Esmor Correctional Services Inc.,
James F. Slattery, John Lima, Richard
Staley, Aaron Speisman,
Appellants

(D.C. Civil Action No. 97-cv-03093)

No. 03-3348 & 05-4007

SAMSON BROWN; DAVIS AUGUSTT; POOBALASINGAM BAKEERATHAN;
BALAS ARAVINTHAN; BALARANGINI RATNAM; KIRITHARASAN
KANAGASANGAM

v.

ESMOR CORRECTIONAL SERVICES, INC; ESMOR INC;
ESMOR NEW YORK STATE CORRECTIONAL FACILITIES, INC.;
ESMOR MANAGEMENT, INC; ESMOR MANHATTAN, INC;
ESMOR BROOKLYN, INC; ESMOR NEW JERSEY, INC;
JAMES SLATTERY; AARON SPEISMAN

Esmor Correctional Service Inc,
Appellant (05-4007)

Esmor Correctional Services Corporation,
James F. Slattery, *Richard Staley,
*John Lima, Aaron Speisman,
Appellants in (03-3348)

*(Pursuant to Rule 12a F.R.A.P.)

Appeal from the United States District Court for the District of New Jersey
(D.C. Civil Action No. 98-cv-01282)
District Judge: Honorable Dickinson R. Debevoise

Submitted Under Third Circuit LAR 34.1(a)
November 15, 2005

Before: BARRY, and AMBRO, Circuit Judges
POLLAK*, District Judge

JUDGMENT

These causes came on to be heard on the record before the United States District Court for the District of New Jersey and were submitted pursuant to Third Circuit

*Honorable Louis H. Pollak, United States District Judge for the Eastern District of Pennsylvania, sitting by designation.

LAR 34.1(a) on November 15, 2005.

On consideration whereof, IT IS ORDERED AND ADJUDGED by this Court that the judgments of the District Court dated June 11, 12, 13, 2003, October 15, 2003 and August 25, 2005, are hereby affirmed. Costs taxed against Esmor Correctional Services, Inc. The motion by counsel for the Jama Action plaintiffs for an award of damages or additional costs under Fed. R. App. P. 38 is denied. All of the above in accordance with the opinion of this Court.

ATTEST:

Marcia M. Waldron

Clerk

Dated: January 27, 2006

Certified as a true copy and issued in lieu of a formal mandate on 2/23/06

Teste:

Marcia M. Waldron

Clerk, U.S. Court of Appeals for the Third Circuit

Marcia M. Waldron

Marcia M. Waldron, Clerk