

CLOSED

**U.S. District Court  
Alabama Middle District (Opelika)  
CIVIL DOCKET FOR CASE #: 3:92-cv-01180-ID-JLC**

McCray, et al v. Dawson, et al  
Assigned to: Judge Ira De Ment  
Referred to: Honorable John L. Carroll  
Demand: \$150000  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 09/21/1992  
Jury Demand: Both  
Nature of Suit: 550 Prisoner: Civil  
Rights  
Jurisdiction: Federal Question

**Special Master**

**Michael W. Haley**  
*Ed.D.*

represented by **Michael W. Haley**  
Alabama Sheriffs Association  
514 Washington Avenue  
Montgomery, AL 36104-4385  
PRO SE

**Plaintiff**

**Robert L. McCray**

represented by **Lynnae Francine Thandiwe**  
Southern Center for Human Rights  
83 Poplar Street, N.W.  
Atlanta, GA 30303  
404-688-1202  
Email: lthandiwe.piedmont@glsp.org  
*TERMINATED: 11/06/1996*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Robert E. Toone**  
Southern Center for Human Rights  
83 Poplar Street, NW  
Atlanta, GA 30303-2122  
404-688-1202  
Fax: 688-9440  
*TERMINATED: 09/07/2000*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Jessie Ellis**

represented by **Lynnae Francine Thandiwe**  
(See above for address)  
*TERMINATED: 11/06/1996*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Robert E. Toone**

(See above for address)  
*TERMINATED: 09/07/2000*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Tammy W. Sun**  
Southern Center for Human Rights  
83 Poplar Street, NW  
Atlanta, GA 30303-2122  
404-688-1202  
Fax: 688-9440  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Eric Ligon**

represented by **Lynnae Francine Thandiwe**  
(See above for address)  
*TERMINATED: 11/06/1996*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Robert E. Toone**  
(See above for address)  
*TERMINATED: 09/07/2000*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Tammy W. Sun**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**John Robinson**

represented by **Lynnae Francine Thandiwe**  
(See above for address)  
*TERMINATED: 11/06/1996*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Robert E. Toone**  
(See above for address)  
*TERMINATED: 09/07/2000*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Tammy W. Sun**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff****James - Campbell**

represented by **Lynnae Francine Thandiwe**  
(See above for address)  
*TERMINATED: 11/06/1996*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Robert E. Toone**  
(See above for address)  
*TERMINATED: 09/07/2000*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Tammy W. Sun**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff****Roosevelt Cowan**

represented by **Lynnae Francine Thandiwe**  
(See above for address)  
*TERMINATED: 11/06/1996*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Robert E. Toone**  
(See above for address)  
*TERMINATED: 09/07/2000*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Tammy W. Sun**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff****Darrie Cannon**

represented by **Lynnae Francine Thandiwe**  
(See above for address)  
*TERMINATED: 11/06/1996*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Robert E. Toone**  
(See above for address)  
*TERMINATED: 09/07/2000*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Tammy W. Sun**

(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Jesse Graham**

represented by **Lynnae Francine Thandiwe**  
(See above for address)  
*TERMINATED: 11/06/1996*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Robert E. Toone**  
(See above for address)  
*TERMINATED: 09/07/2000*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Tammy W. Sun**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Elbert Dawson**  
*Sheriff*

represented by **Ernest Wray Smith**  
Coastal Insurance Group  
PO Box 240429  
Montgomery, AL 36124-0429  
334-271-5515  
Fax: 270-8314  
Email: wsmith@coastalins.org  
*TERMINATED: 02/08/1996*  
*LEAD ATTORNEY*  
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**Jock Michael Smith**  
Cochran, Cherry, Givens & Smith  
PO Box 830419  
Tuskegee, AL 36083  
(334) 727-0060  
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Email:  
bpinkard@cochranlawtuskegee.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kendrick E. Webb**  
Webb & Eley, P.C.  
PO Box 240909

Montgomery, AL 36124  
334-262-1850  
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Email: kwebb@webbeley.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Eddie Macon**  
*Chief Deputy*

represented by **Ernest Wray Smith**  
(See above for address)  
*TERMINATED: 02/08/1996*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jock Michael Smith**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kendrick E. Webb**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Allen Moore**  
*Jailer*

represented by **Ernest Wray Smith**  
(See above for address)  
*TERMINATED: 02/08/1996*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Robin Collins**  
*Jailer*

represented by **Ernest Wray Smith**  
(See above for address)  
*TERMINATED: 02/08/1996*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Lovie Thomas**  
*Jailer*

represented by **Ernest Wray Smith**  
(See above for address)  
*TERMINATED: 02/08/1996*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Jailer Betty Hugley**

represented by **Ernest Wray Smith**  
(See above for address)  
*TERMINATED: 02/08/1996*  
*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED***Defendant****Alabama Department of Corrections**

represented by **Andrew Weldon Redd**  
Alabama Department of Corrections  
Legal Division  
PO Box 301501  
Montgomery, AL 36130-1501  
334-353-3883  
Fax: 353-3891  
Email: courtorders@doc.state.al.us  
*LEAD ATTORNEY*  
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**Ellen Ruth Leonard**  
Office of the Attorney General  
Alabama State House  
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*LEAD ATTORNEY*  
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**Harry A. Lyles**  
Alabama Department of Transportation  
Legal Division  
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Montgomery, AL 36110  
(334) 242-6350  
Fax: (334) 264-4359  
Email: lylesh@dot.state.al.us  
*TERMINATED: 01/01/1994*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Tommy Herring**  
*in his official capacity, as*  
*Commissioner of the Alabama*  
*Department of Corrections*

represented by **Andrew Weldon Redd**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Ellen Ruth Leonard**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Harry A. Lyles**  
(See above for address)

*TERMINATED: 01/01/1994*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Macon County, Alabama**

represented by **Jock Michael Smith**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kendrick E. Webb**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Frank H. Lee**

*in his individual and official capacity as  
chairperson of the Macon County  
Commission*  
*TERMINATED: 02/27/1997*

represented by **Jock Michael Smith**  
(See above for address)  
*TERMINATED: 02/27/1997*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kendrick E. Webb**  
(See above for address)  
*TERMINATED: 02/27/1997*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Lloyd Stillwell**

*in his individual and official capacity as  
a member of the Macon County  
Commission*  
*TERMINATED: 02/27/1997*

represented by **Jock Michael Smith**  
(See above for address)  
*TERMINATED: 02/27/1997*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kendrick E. Webb**  
(See above for address)  
*TERMINATED: 02/27/1997*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Ernest - Magruder**

*in his individual and official capacity as  
a member of the Macon County  
Commission*  
*TERMINATED: 02/27/1997*

represented by **Jock Michael Smith**  
(See above for address)  
*TERMINATED: 02/27/1997*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kendrick E. Webb**  
(See above for address)

*TERMINATED: 02/27/1997*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Albert Daniels**  
*in his individual and official capacity as  
a member of the Macon County  
Commission*

represented by **Jock Michael Smith**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kendrick E. Webb**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Robert Berry**  
*in his individual and official capacity as  
a member of the Macon County  
Commission*

represented by **Jock Michael Smith**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kendrick E. Webb**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Jesse Upshaw**  
*Chairman of the Commissioners*

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

**Defendant**

**Miles Robinson**  
*Commissioner*

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

**Defendant**

**Omar Neal**  
*Commissioner*

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

**Defendant**

**Macon County Commission**

represented by **Ernest Wray Smith**  
(See above for address)  
*TERMINATED: 02/08/1996*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*



<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
09/21/1992	1	COMPLAINT (cc) (Entered: 09/22/1992)
09/21/1992	2	Affidavit by Robert L. McCray to proceed in forma pauperis (cc) (Entered: 09/22/1992)
09/22/1992		CASE REFERRED to Mag. Judge John L. Carroll (cc) (Entered: 09/22/1992)
09/29/1992	3	ORDER denying [2-1] motion to proceed in forma pauperis; directing plaintiff to pay the \$120.00 filing fee on or before 10/14/92 ( signed by Mag. Judge John L. Carroll ) , copy mailed to plaintiff. (cc) (Entered: 09/29/1992)
10/02/1992		Filing Fee Paid; FILING FEE \$ 120.00 RECEIPT # 45358 mailed to plaintiff. File referred to Magistrate Judge Carroll. (cc) (Entered: 10/05/1992)
10/08/1992	4	ORDER, set Answer deadline to 11/17/92 for Lovie Thomas, for Robin Collins, for Allen Moore, for Eddie Macon, for Elbert Dawson for Betty Hugley ( signed by Mag. Judge John L. Carroll ) , copies mailed to plaintiff; mailed w/copy of complaint to Jimmy H. Evans & Harry A. Lyles; mailed by CMRRR w/copy of complaint to named defendants. (cc) Modified on 03/05/1993 (Entered: 10/08/1992)
10/13/1992	5	NOTICE of ACKNOWLEDGEMENT of SERVICE as to Eddie Macon, Allen Moore, Robin Collins, Lovie Thomas, Betty Hugley 10/10/92 Answer due on 11/23/92 for Betty Hugley, for Lovie Thomas, for Robin Collins, for Allen Moore, for Eddie Macon (cc) (Entered: 10/19/1992)
10/15/1992	6	NOTICE of ACKNOWLEDGEMENT of SERVICE as to Elbert Dawson 10/13/92 Answer due on 11/23/92 for Elbert Dawson (cc) (Entered: 10/19/1992)
11/16/1992	7	MOTION by Elbert Dawson to Extend Time in which to file his special report . Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 11/16/1992)
11/18/1992		Stamped ORDER granting [7-1] motion to Extend Time in which to file his special report; resetting Answer deadline to 12/7/92 for Elbert Dawson , copies mailed to plaintiff, counsel & named defendants. (dkt clerk) (Entered: 11/18/1992)
11/23/1992	8	MOTION by Robert L. McCray for Appointment of Counsel . Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 11/23/1992)
11/24/1992	9	ORDER denying [8-1] motion for Appointment of Counsel ( signed by Judge Ira De Ment ) , copies mailed to plaintiff & counsel. (dkt clerk) (Entered: 11/24/1992)
12/07/1992	10	SPECIAL REPORT by Elbert Dawson, Eddie Macon, Allen Moore, Robin Collins, Lovie Thomas, Betty Hugley (Attorney E. Wray Smith);

		Answer via special report; affidavits of Robin Collins, Allen Moore, Lovie Thomas, Elbert Dawson, Ray Miller & Howard Ray (Exhibits 1-62). Referred to Magistrate Judge Carroll. (dkt clerk) (Entered: 03/09/1993)
12/07/1992	10	Special report treated as a MOTION by Elbert Dawson, Eddie Macon, Allen Moore, Robin Collins, Lovie Thomas, Betty Hugley for Summary Judgment per order of 12/10/92. (dkt clerk) (Entered: 03/09/1993)
12/08/1992		AO FORM 85 mailed to counsel for defendants, Hon. E. Wray Smith. (dkt clerk) (Entered: 12/08/1992)
12/10/1992	11	ORDER treating defendants' special report as a motion for summary judgment; [10-1] motion for Summary Judgment by defendants set for submission on 1/5/93 ( signed by Mag. Judge John Carroll ) , copies mailed to plaintiff & counsel. VACATED PER ORDER OF 1/6/93. (dkt clerk) Modified on 01/06/1993 (Entered: 12/10/1992)
12/17/1992	12	MOTION by Robert L. McCray for scheduling order . Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 12/17/1992)
12/17/1992	13	MOTION by Robert L. McCray to Strike [10-1] special report by defendants . Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 12/17/1992)
12/18/1992	14	ORDER denying [12-1] motion for scheduling order ( signed by Mag. Judge John L. Carroll ) , copies mailed to plaintiff & counsel. (dkt clerk) (Entered: 12/18/1992)
12/18/1992	15	ORDER denying [13-1] motion to Strike [10-1] special report by defendants ( signed by Mag. Judge John L. Carroll ) , copies mailed to plaintiff & counsel. (dkt clerk) (Entered: 12/18/1992)
12/28/1992	16	MOTION by Robert L. McCray for Discovery referred to Mag. Judge John L. Carroll (cc) (Entered: 12/30/1992)
12/28/1992	16	INTERROGATORIES by Robert L. McCray to Elbert Dawson (cc) (Entered: 12/30/1992)
12/30/1992	17	ORDER terminating [16-1] motion for Discovery; directing defendant Dawson to object or otherwise respond to interrogatories; set Interrogatories deadline to 1/29/93 ; [10-1] motion for Summary Judgment by defendants reset for submission on 2/19/93 ( signed by Mag. Judge John L. Carroll ) , copies mailed to plaintiff & counsel. (cc) (Entered: 12/30/1992)
12/30/1992	18	MOTION by Robert L. McCray to Amend [1-1] complaint referred to Mag. Judge John L. Carroll (cc) (Entered: 12/30/1992)
12/30/1992	18	AMENDMENT TO COMPLAINT by Robert L. McCray amending [1-1] complaint against Macon County Comm.; jury demand; declaratory judgment. (Per order of 1/6/93) (dkt clerk) (Entered: 01/06/1993)
01/04/1993	19	REQUEST for Admissions to defendant Macon by Robert L. McCray

		(dkt clerk) (Entered: 01/04/1993)
01/04/1993	20	MOTION by Robert L. McCray to Stay summary judgment pending disposition & completion of discovery. Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 01/04/1993)
01/06/1993	21	ORDER vacating [11-1] order; denying [20-1] motion to Stay as moot. Signed by Mag. Judge John L. Carroll. Copies mailed to plaintiff & counsel. (dkt clerk) (Entered: 01/06/1993)
01/06/1993	22	ORDER granting [18-1] motion to Amend [1-1] complaint ( signed by Mag. Judge John L. Carroll ) , copies mailed to plaintiff & counsel. (dkt clerk) (Entered: 01/06/1993)
01/06/1993	23	ORDER setting Answer deadline to 2/16/93 for Macon County Comm. ( signed by Mag. Judge John L. Carroll ) , copies mailed to plaintiff; w/ copy of complaint, as amended, to original defendants; w/ copy of original complaint & amendment thereto to counsel for original defendants; w/ copy of original complaint & amendment thereto to additional defendant by CMRRR. (dkt clerk) (Entered: 01/06/1993)
01/06/1993	24	REPORT AND RECOMMENDATIONS of Mag. Judge John L. Carroll that the plaintiff's claims relating to the conditions of confinement of the Macon County Jail in 1988 and 1989 be dismissed prior to service of process pursuant to the provisions of 28 USC Section 1915(d); further, that this case, with respect to the remaining claims, be referred back to the undersigned for subsequent proceedings. Objections to R and R due by 1/25/93 , copies mailed to plaintiff, counsel, named defendants. (dkt clerk) (Entered: 01/06/1993)
01/07/1993	25	DEMAND for jury trial by Robert L. McCray. Referred to Magistrate Judge Carroll. (dkt clerk) (Entered: 01/08/1993)
01/08/1993	26	NOTICE of ACKNOWLEDGEMENT of SERVICE as to Macon County Comm., 1/7/93; Answer due on 2/16/93 for Macon County Comm. (dkt clerk) (Entered: 01/15/1993)
01/19/1993	27	OBJECTION by Robert L. McCray to [24-1] report and recommendations. Referred to Magistrate Judge Carroll. (dkt clerk) (Entered: 01/20/1993)
01/22/1993		File referred to Judge DeMent. (dkt clerk) (Entered: 01/22/1993)
01/29/1993	28	MOTION by Elbert Dawson, Eddie Macon, Allen Moore, Robin Collins, Lovie Thomas, Betty Hugley, Macon County Comm. to Clarify [23-1] order setting Supplemental Answer deadline , and to Extend Time in which to respond to plaintiff's request for admissions & plaintiff's interrogatories referred to Mag. Judge John L. Carroll (cc) (Entered: 02/03/1993)
02/03/1993	29	RESPONSE by Robert L. McCray in opposition to [28-1] motion to Clarify [23-1] order & [28-2] motion to Extend Time in which to respond to plaintiff's request for admissions & plaintiff's interrogatories. Referred to Magistrate Judge Carroll. CONSTRUED AS A MOTION TO STRIKE

		PER ORDER OF 2/8/93. (cc) Modified on 02/08/1993 (Entered: 02/03/1993)
02/03/1993	29	Plaintiff's response in opposition to 1/29/93 construed as a MOTION by Robert L. McCray to Strike [28-2] motion to Extend Time in which to respond to plaintiff's request for admissions & plaintiff's interrogatories by defendants per Order of 2/8/93. (dkt clerk) (Entered: 02/08/1993)
02/03/1993	30	ORDER adopting, approving & affirming [24-1] report and recommendations; dismissing plaintiff's claims relating to the conditions of confinement of the Macon County Jail in 1988 & 1989 prior to service of process pursuant to provisions of 28 U.S.C. Section 1915(d); Referring Case to Mag. Judge John L. Carroll for determination of remaining claims. ( signed by Judge Ira De Ment ) , copies mailed to plaintiff, counsel & named defendants. (dkt clerk) (Entered: 03/09/1993)
02/03/1993	31	NOTICE to Robert L. McCray by Elbert Dawson, Eddie Macon, Allen Moore, Robin Collins, Lovie Thomas, Betty Hugley of intent to serve subpoena for production of documents on non-party. Referred to Magistrate Judge Carroll. (dkt clerk) (Entered: 03/09/1993)
02/08/1993	32	ORDER denying [29-1] motion to Strike [28-2] motion to Extend Time in which to respond to plaintiff's request for admissions & plaintiff's interrogatories by defendants ( signed by Mag. Judge John L. Carroll ) , copies mailed to plaintiff & counsel. (dkt clerk) (Entered: 02/08/1993)
02/08/1993	33	ORDER granting [28-1] motion to Clarify [23-1] order setting Supplemental Answer deadline; advising defendants that their supplemental written report should address only those claims which relate to the conditions to which the plaintiff was subjected from "November 13, 1991 through November 1992." ( signed by Mag. Judge John L. Carroll ) , copies mailed to plaintiff & counsel. (dkt clerk) (Entered: 02/08/1993)
02/08/1993	34	ORDER granting [28-2] motion to Extend Time in which to respond to plaintiff's request for admissions & plaintiff's interrogatories; resetting Admissions deadline to 2/22/93 ; resetting Interrogatories deadline to 2/22/93 ; resetting supplemental Answer deadline to 2/22/93 for Macon County Comm., for Betty Hugley, for Lovie Thomas, for Robin Collins, for Allen Moore, for Eddie Macon, for Elbert Dawson ( signed by Mag. Judge John L. Carroll ) , copies mailed to plaintiff & counsel. (dkt clerk) (Entered: 02/08/1993)
02/09/1993	35	MOTION by Robert L. McCray for copies of documents subpoenaed by defendants from non-party. Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 02/09/1993)
02/10/1993	36	ORDER denying [35-1] motion for copies ( signed by Mag. Judge John L. Carroll ) , copies mailed to plaintiff & counsel. (dkt clerk) (Entered: 02/10/1993)
02/22/1993	37	Supplemental SPECIAL REPORT by Elbert Dawson, Eddie Macon, Allen Moore, Robin Collins, Lovie Thomas, Betty Hughley, Macon

		County Comm. (Attorney E. Wray Smith); policy & procedure manual attached; affidavits of Howard Ray (non-party), Eddie Macon, Betty Hughley, Allen Moore, Elbert Dawson, Robin Collins & Lovie Thomas (Exhibits 1-20). Referred to Magistrate Judge Carroll. (dkt clerk) (Entered: 02/23/1993)
02/22/1993	37	Supplemental special report treated as a MOTION by Elbert Dawson, Eddie Macon, Allen Moore, Robin Collins, Lovie Thomas, Betty Hugley, Macon County Comm. for Summary Judgment per order of 2/25/93. (dkt clerk) (Entered: 02/25/1993)
02/25/1993	38	ORDER treating special report and supplemental special report as a motion for summary judgment; [37-1] motion for summary judgment and [10-1] motion for Summary Judgment by defendants set for submission on 3/16/93 ( signed by Mag. Judge John L. Carroll ) , copies mailed to plaintiff & counsel. (dkt clerk) (Entered: 02/25/1993)
03/16/1993	39	RESPONSE by Robert L. McCray in opposition to [37-1] and [10-1] motions for Summary Judgment by defendants (appendix 1-4 attached). Referred to Magistrate Judge Carroll. (dkt clerk) Modified on 03/16/1993 (Entered: 03/16/1993)
03/16/1993		File referred to Judge DeMent. (dkt clerk) (Entered: 03/16/1993)
03/16/1993	40	CONSENT to trial by Magistrate Judge by all parties and ORDER reassigning to Mag. Judge John L. Carroll. (signed by Judge Ira De Ment) Copies mailed to plaintiff & counsel. VACATED PER ORDER OF 9/29/93 (dkt clerk) Modified on 09/29/1993 (Entered: 03/16/1993)
03/16/1993		CASE NO LONGER REFERRED TO Mag. Judge John L. Carroll (dkt clerk) (Entered: 03/16/1993)
03/29/1993	41	Plaintiff's medical records from Veteran's Administration filed as a RESPONSE by Robert L. McCray in opposition to [37-1] motion and [10-1] motion for Summary Judgment by defendants. Referred to Magistrate Judge Carroll. (cc) (Entered: 03/29/1993)
04/29/1993	42	ORDER Appointing Counsel for plaintiff, Hon. Lynnae F. Thandiwe , 83 Poplar St., Atlanta, GA 30303; directing clerk to furnish counsel with copies of all pleadings & documents contained in the file; allowing court-appointed counsel a period of 30 days from the date of this order to file any amended complaint, as further set out. ( signed by Mag. Judge John L. Carroll ) , copies mailed to plaintiff & counsel. (dkt clerk) (Entered: 04/29/1993)
05/20/1993	43	AMENDED COMPLAINT (Answer due 11/17/92); class action; permanent injunction; APPENDIX A added per order of 5/19/95.(dkt clerk) Modified on 05/22/1995 (Entered: 05/20/1993)
05/20/1993	43	MOTION by the plaintiff class (within amended complaint) for Attorney Fees and costs . Referred to Mag. Judge John L. Carroll (dkt clerk) Modified on 05/20/1993 (Entered: 05/20/1993)
05/20/1993	44	MOTION by plaintiff class (filed w/ amended complaint) for entry upon

		land for inspection and other purposes . Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 05/20/1993)
05/27/1993	45	ORDER, setting Answer deadline to 6/28/93 for Robert Berry, for Albert Daniels, for Ernest - Magruder, for Lloyd Stillwell, for Frank H. Lee, for Macon Co., Alabama, for Tommy Herring, for Dept. of Corrections, for Macon County Comm., for Betty Hugley, for Lovie Thomas, for Robin Collins, for Allen Moore, for Eddie Macon, for Elbert Dawson ; setting Scheduling Conference for 9:30 a.m., 7/8/93 ( signed by Mag. Judge John L. Carroll ) , copies mailed to counsel; w/ copy of amended complaint to counsel for original defendants, Harry Lyles; w/ copy of amended complaint, together w/ summons by CMRRR to added defendants; furnished to Stan, Marie. (dkt clerk) (Entered: 05/27/1993)
05/27/1993	46	SUMMONS issued for Dept. of Corrections, Tommy Herring, Macon Co., Alabama, Frank H. Lee, Lloyd Stillwell, Ernest - Magruder, Albert Daniels, Robert Berry; summons, amended complaint & order of 5/27/93 mailed by CMRRR to newly named defendants on amended complaint. (dkt clerk) (Entered: 05/27/1993)
05/27/1993	47	MOTION by Robert L. McCray, Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, Jesse Graham for Preliminary Injunction . Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 05/27/1993)
05/27/1993	48	BRIEF IN SUPPORT of [47-1] motion for Preliminary Injunction by Robert L. McCray, Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, Jesse Graham. Referred to Magistrate Judge Carroll. (dkt clerk) (Entered: 05/27/1993)
06/01/1993	49	SUMMONS Returned Executed as to Macon Co., Alabama, Frank H. Lee, Lloyd Stillwell, Ernest Magruder, Albert Daniels, Robert Berry 5/28/93 Answer due on 6/28/93 for Robert Berry, for Albert Daniels, for Ernest Magruder, for Lloyd Stillwell, for Frank H. Lee, for Macon Co., Alabama (dkt clerk) (Entered: 06/01/1993)
06/02/1993	50	SUMMONS Returned Executed as to Dept. of Corrections 6/1/93 Answer due on 6/28/93 for Dept. of Corrections (dkt clerk) (Entered: 06/07/1993)
06/07/1993	51	SUMMONS Returned Executed as to Tommy Herring 6/1/93 Answer due on 6/28/93 for Tommy Herring (dkt clerk) (Entered: 06/07/1993)
06/11/1993	52	MOTION by Dept. of Corrections, Tommy Herring to Stay case Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 06/11/1993)
06/11/1993	53	ANSWER to Complaint by Dept. of Corrections, Tommy Herring (Attorneys Ellen Ruth Leonard, Andrew W. Redd, Harry A. Lyles). Referred to Magistrate Judge Carroll. (dkt clerk) (Entered: 06/11/1993)
06/28/1993	54	ORDER denying as moot [47-1] motion for Preliminary Injunction ( signed by Mag. Judge John L. Carroll ) , copies mailed to counsel. (cc) (Entered: 06/28/1993)

07/01/1993	55	MOTION by Elbert Dawson, Eddie Macon, Macon Co., Alabama, Frank H. Lee, Lloyd Stillwell, Ernest Magruder, Albert Daniels, Robert Berry to Strike [43-1] amended complaint referred to Mag. Judge John L. Carroll (cc) (Entered: 07/02/1993)
07/01/1993	56	ANSWER to Amended Complaint by Macon Co., Alabama, Frank H. Lee, Lloyd Stillwell, Ernest Magruder, Albert Daniels, Robert Berry (Attorney Kendrick E. Webb, Jock Michael Smith),; jury demand. Referred to Magistrate Judge Carroll. (cc) (Entered: 07/02/1993)
07/01/1993	57	ANSWER to Amended Complaint by Elbert Dawson, Eddie Macon (Attorney Kendrick E. Webb, Jock Michael Smith),; jury demand. Referred to Magistrate Judge Carroll. (cc) (Entered: 07/02/1993)
07/07/1993	58	ORDER date set for hearing at 9:30 on 7/8/93 for [55-1] motion to Strike [43-1] amended complaint in third floor courtroom, Frank M. Johnson, Jr. Fed. Bldg. & U.S. Courthouse, Montg., Ala; directing the clerk to provide counsel for the parties with a copy of this order by facsimile ( signed by Mag. Judge John L. Carroll ) , copies mailed to counsel; copies sent by fax as directed. (cc) (Entered: 07/07/1993)
07/08/1993		Motion hearing held re: [55-1] motion to Strike [43-1] amended complaint by defendants (cc) (Entered: 07/08/1993)
07/08/1993	59	Courtroom Deputy's MINUTES of proceedings: (cc) (Entered: 07/08/1993)
07/09/1993	60	SCHEDULING ORDER setting Pretrial Conference for 9:00 2/7/94 in chambers of U.S. Magistrate Judge John L. Carroll; Motion Filing deadline on 10/7/93 for all dispositive motions; Discovery cutoff 1/10/94; bench trial set for 9:00 3/7/94 in third floor courtroom Frank M. Johnson, Jr., Fed. Bldg. & U.S. Courthouse, Montg., Ala.; directing persons having custody of plaintiffs to produce them at scheduled non-jury trial ( signed by Mag. Judge John L. Carroll ) , copies mailed to counsel. (cc) (Entered: 07/09/1993)
07/09/1993	61	ORDER Response to Motion set to 7/19/93 (for plaintiffs) for [55-1] motion to Strike [43-1] amended complaint ( signed by Mag. Judge John L. Carroll ) , copies mailed to counsel. (cc) (Entered: 07/09/1993)
07/19/1993	62	RESPONSE by Robert L. McCray, Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, Jesse Graham to [55-1] motion to Strike [43-1] amended complaint by defendants. Referred to Magistrate Judge Carroll. (cc) (Entered: 07/19/1993)
07/19/1993	63	MOTION by Robert L. McCray, Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, Jesse Graham to Certify Class referred to Mag. Judge John L. Carroll (cc) (Entered: 07/19/1993)
07/19/1993	64	BRIEF IN SUPPORT (w/4 supporting affidavits attached) of [63-1] motion to Certify Class by Robert L. McCray, Jessie Ellis, Eric Ligon,

		John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, Jesse Graham. Referred to Magistrate Judge Carroll. (cc) (Entered: 07/19/1993)
08/09/1993	65	ORDER denying [55-1] motion to Strike [43-1] amended complaint; Motion Hearing date set for 9:00 10/18/93 for [63-1] motion to Certify Class in third floor courtroom, Frank M. Johnson, Jr. Fed. Bldg. & U.S. Courthouse, Montg., Ala. ( signed by Mag. Judge John L. Carroll ) , copies mailed to counsel; furnished Marie & Stan. (cc) (Entered: 08/09/1993)
09/09/1993	66	REPORT AND RECOMMENDATIONS of Mag. Judge John L. Carroll that the order of reference entered in this case on 3/16/93 be vacated and that the cause then be referred back to the magistrate judge for further proceedings. Objections to R and R due by 9/27/93 , copies mailed to counsel. (cc) (Entered: 09/09/1993)
09/16/1993	67	MOTION by Elbert Dawson, Eddie Macon, Macon Co., Alabama, Frank H. Lee, Lloyd Stillwell, Ernest - Magruder, Albert Daniels to Extend Time for filing of dispositive motions referred to Mag. Judge John L. Carroll (cc) (Entered: 09/17/1993)
09/22/1993	68	ORDER granting [67-1] motion to Extend Time for filing of dispositive motions; reset Motion Filing deadline to 12/24/93 ; directing that all other provisions of the scheduling order of 7/9/93 shall remain in full force and effect ( signed by Mag. Judge John L. Carroll ) , copies mailed to counsel. (cc) (Entered: 09/22/1993)
09/28/1993		File w/proposed order referred to Judge DeMent (cc) (Entered: 09/28/1993)
09/29/1993	69	ORDER adopting [66-1] report and recommendations; vacating [40-1] order of reference; Referring Case to Mag. Judge John L. Carroll for further proceedings ( signed by Judge Ira De Ment ) , copies mailed to counsel. (cc) (Entered: 09/29/1993)
09/29/1993		CASE reassigned to Judge Ira De Ment (cc) (Entered: 09/29/1993)
10/04/1993	70	MOTION by Robert L. McCray, Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, Jesse Graham, Dept. of Corrections, Tommy Herring to Dismiss state defendants referred to Mag. Judge John L. Carroll (cc) (Entered: 10/04/1993)
10/05/1993	71	ORDER Setting Evidentiary Hearing on the issue of injunctive relief for 9:00 3/7/94 ; terminated deadline for non-jury trial set for same date ; directing that all other provisions of scheduling order entered on 7/9/93 remain in full force and effect ( signed by Mag. Judge John L. Carroll ) , copies mailed to counsel; furnished Marie & Stan. (cc) (Entered: 10/05/1993)
10/14/1993	72	MOTION by Elbert Dawson, Eddie Macon, Macon Co., Alabama, Frank H. Lee, Lloyd Stillwell, Ernest - Magruder, Albert Daniels, Robert Berry to Continue Hearing on Class Certification referred to Mag. Judge John



		L. Carroll (cc) (Entered: 10/14/1993)
10/18/1993	73	ORDER granting [72-1] motion to Continue Hearing on Class Certification; continuing the class certification hearing; Motion Docket date set for 9:00 11/8/93 for [63-1] motion to Certify Class ; in the Third Floor Courtroom, The Frank M. Johnson, Jr. Federal Bldg. & U. S. Courthouse, Montgomery, Alabama ( signed by Mag. Judge John L. Carroll ). Copies mailed to counsel; furnished to Marie & Stan. (djt) (Entered: 10/18/1993)
10/22/1993	74	RESPONSE by Tommy Herring to Discovery Re: Request for Production. Referred to Magistrate Judge Carroll. (cc) (Entered: 10/22/1993)
11/05/1993	75	SECOND MOTION by Elbert Dawson, Eddie Macon, Macon Co., Alabama, Frank H. Lee, Lloyd Stillwell, Ernest - Magruder, Albert Daniels, Robert Berry to Continue Hearing on Class Certification referred to Mag. Judge John L. Carroll (cc) (Entered: 11/08/1993)
11/09/1993	76	ORDER granting [75-1] motion to Continue Hearing on Class Certification; motion hearing reset for 10:00 11/29/93 in third floor courtroom, Frank M. Johnson, Jr. Fed. Bldg. & U.S. Courthouse, Montg., Ala. for [63-1] motion to Certify Class ( signed by Mag. Judge John L. Carroll ) , copies mailed to counsel; furnished Marie & Stan. (cc) (Entered: 11/09/1993)
11/29/1993		Motion hearing held re: [63-1] motion to Certify Class by plaintiffs (cc) (Entered: 11/30/1993)
11/29/1993	77	Courtroom Deputy's MINUTES of proceedings; exhibit list; Exhibits under separate cover w/file (cc) (Entered: 11/30/1993)
01/05/1994	78	MOTION for Kendrick E. Webb & E. Wray Smith to Withdraw as Attorneys of Record for Defendants Macon County, Alabama, Frank H. Lee, Lloyd Stillwell, Ernest MacGruder, Albert Daniels, Robert Berry, Elbert Dawson and Eddie Macon referred to Mag. Judge John L. Carroll (cc) (Entered: 01/06/1994)
01/05/1994	79	MOTION by Elbert Dawson, Eddie Macon, Macon Co., Alabama, Frank H. Lee, Lloyd Stillwell, Ernest - Magruder, Albert Daniels, Robert Berry for Protective Order ; Exhibits A-C attached. Referred to Mag. Judge John L. Carroll (cc) (Entered: 01/06/1994)
01/05/1994	80	MOTION by Elbert Dawson, Eddie Macon, Macon Co., Alabama, Frank H. Lee, Lloyd Stillwell, Ernest - Magruder, Albert Daniels, Robert Berry for appointment of third-party mediator ; for continuance of all deadlines referred to Mag. Judge John L. Carroll (cc) (Entered: 01/06/1994)
01/10/1994	81	ORDER upon consideration of [80-1] motion for appointment of third-party mediator and for a continuance, it is granted to the following extent: all proceedings in this case will be stayed pending mediation; reset Pretrial Conference for 9:00 3/23/94 before Mag. Judge John L. Carroll , in chambers, Room 312, Frank M. Johnson, Jr. Fed. Bldg. & U.S.

		<p>Courthouse, Montg., Ala.; reset Evidentiary Hearing for 9:00 4/18/94 in third floor courtroom, Frank M. Johnson, Jr., Fed. Bldg. &amp; U.S. Courthouse, Montg., Ala; denying as moot [79-1] motion for Protective Order; denying as moot [78-1] motion for Kendrick E. Webb &amp; E. Wray Smith to Withdraw as Attorneys of Record for Defendants Macon County, Alabama, Frank H. Lee, Lloyd Stillwell, Ernest MacGruder, Albert Daniels, Robert Berry, Elbert Dawson and Eddie Macon ( signed by Mag. Judge John L. Carroll ) , copies mailed to counsel; furnished Marie &amp; Stan. (cc) (Entered: 01/10/1994)</p>
01/10/1994	82	<p>NOTICE of Deposition at the Macon County Courthouse of Eddie Macon on 1/5/94 at 9:00 a.m. and of Angela Alexander on 1/6/94 at 9:00 a.m. Notice filed by Robert L. McCray, Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, Jesse Graham. Referred to Magistrate Judge Carroll. (cc) (Entered: 01/11/1994)</p>
01/10/1994	83	<p>NOTICE of Deposition at the Macon County Courthouse of Sheriff Elbert Dawson on 12/23/93 at 9:00 a.m. and Commissioner Frank Lee on 12/24/93 at 9:00 a.m. Notice filed by Robert L. McCray, Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, Jesse Graham. Referred to Magistrate Judge Carroll. (cc) (Entered: 01/11/1994)</p>
01/10/1994	84	<p>MOTION by Robert L. McCray, Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, Jesse Graham for Leave to Take Deposition of Emma Wright and Doris Pruitt on 1/17/94 at the Macon County Courthouse referred to Mag. Judge John L. Carroll (cc) (Entered: 01/11/1994)</p>
01/10/1994	85	<p>MOTION by Robert L. McCray, Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, Jesse Graham for Leave to Take Deposition of Stephanie Moore on 1/13/94 at 9:00 a.m. and Commissioner Ernest Magruder on 1/14/94 at 9:00 a.m. and Commissioner Lloyd Stillwell on 1/14/94 at 1:00 P.M. at the Macon County Courthouse referred to Mag. Judge John L. Carroll (cc) (Entered: 01/11/1994)</p>
01/20/1994	86	<p>MOTION by Robert L. McCray, Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, Jesse Graham to Vacate [81-1] order staying proceedings referred to Mag. Judge John L. Carroll (cc) (Entered: 01/21/1994)</p>
01/31/1994	87	<p>ORDER set Status Conference for 8:30 2/11/94 by conference call ( signed by Mag. Judge John L. Carroll ) , copies mailed to counsel. (cc) (Entered: 01/31/1994)</p>
02/08/1994	88	<p>ORDER setting mediation conference; set In Chambers in the Frank M. Johnson, Jr. Fed. Bldg. &amp; U.S. Courthouse, Montg., Ala. for 9:00 2/17/94 ; directing that counsel for all parties and a representative of the defendants with full authority to settle the case to appear at and attend said conference; directing plaintiffs to be prepared to present documents</p>

		substantiating any claims for damages ( signed by Mag. Judge Charles S. Coody ) , copies mailed to counsel; furnished Marie & Clayton. (cc) (Entered: 02/08/1994)
02/18/1994	89	ORDER directing that counsel for defendants initiate a telephone status conference call; set Status Conference for 3:30 2/28/94 , Central Standard Time ( signed by Mag. Judge Charles S. Coody ) , copies mailed to counsel. (cc) (Entered: 02/18/1994)
03/04/1994	90	ORDER, set (Mediation) In Chambers Conference for 10:00 3/11/94 ( signed by Mag. Judge Charles S. Coody ) , copies mailed to counsel; furnished to Ace, Marie. (war) Modified on 03/04/1994 (Entered: 03/04/1994)
03/11/1994	91	JOINT STIPULATION on Class Certification; proposed order attached. Referred to Magistrate Judge Carroll. (cc) (Entered: 03/11/1994)
03/29/1994		Proposed Consent Order referred to Magistrate Judge Carroll. (cc) (Entered: 03/30/1994)
04/20/1994	92	JOINT MOTION by Robert L. McCray, Elbert Dawson, Eddie Macon, Allen Moore, Robin Collins, Lovie Thomas, Betty Hugley, Macon County Comm., Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, Jesse Graham, Macon Co., Alabama, Frank H. Lee, Lloyd Stillwell, Ernest - Magruder, Albert Daniels, Robert Berry for Approval of Consent Order referred to Mag. Judge John L. Carroll (cc) (Entered: 04/21/1994)
05/03/1994	93	ORDER that the proposed consent order filed 4/20/94 be preliminarily approved; directing the parties to file on or before 5/18/94 a proposed class notice which shall be posted in the Macon County Jail and shall be printed once each week for three consecutive weeks in a newspaper of general circulation in Macon County; advising that upon receipt of the class notice, the court will issue a schedule for providing notice to the class and for setting a fairness hearing ( signed by Mag. Judge John L. Carroll ) , copies mailed to counsel. (cc) (Entered: 05/03/1994)
05/16/1994	94	JOINT MOTION by Robert L. McCray, Elbert Dawson, Eddie Macon, Allen Moore, Robin Collins, Lovie Thomas, Betty Hugley, Macon County Comm., Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, Jesse Graham, Dept. of Corrections, Tommy Herring, Macon Co., Alabama, Frank H. Lee, Lloyd Stillwell, Ernest - Magruder, Albert Daniels, Robert Berry for Approval of Notices (proposed order, proposed Notice of Class Settlement & proposed Class Notice attached) referred to Mag. Judge John L. Carroll (cc) (Entered: 05/17/1994)
05/16/1994	95	JOINT MOTION by Robert L. McCray, Elbert Dawson, Eddie Macon, Allen Moore, Robin Collins, Lovie Thomas, Betty Hugley, Macon County Comm., Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, Jesse Graham, Dept. of Corrections, Tommy Herring, Macon Co., Alabama, Frank H. Lee, Lloyd Stillwell, Ernest - Magruder, Albert Daniels, Robert Berry for

		appointment of special master referred to Mag. Judge John L. Carroll (djt) (Entered: 05/17/1994)
05/25/1994	96	ORDER preliminarily approving the proposed Consent Order; approving Class Notice and Notice of Proposed Class Settlement attached to Joint Motion for Approval of Notices; directing the defendants to post the Class Notice and a copy of the Consent Order on or before 6/8/94, in the Macon County Jail in each cellblock and the booking room; directing that said Class Notice and Consent Order shall remain posted continuously until 6/8/94; directing that the Notice of Proposed Class Settlement shall be printed once each week for three consecutive weeks in a newspaper of general circulation in Macon County, AL, prior to 8/3/94; that any oral objections to the Consent Order by prisoners must be made to the Magistrate Judge at a HEARING to be held in the Macon County Jail at 10:00 A.M. on 8/8/94; that any written objections to the Consent Order must be received by Clerk of this Court by the close of business on 8/3/94; setting a Hearing on the proposed Consent Order for 2:00 P.M. on 8/4/94 at the Federal Courthouse in Montgomery, AL; directing parties to file with the Court prior to Hearing appropriate documentation demonstrating that they have given notice to the class in manner described and that before notice is sent, notice must be signed by Clerk of this Court Class Notice, Notice of Proposed Class Settlement, and proposed Consent Order attached; ( signed by Mag. Judge John L. Carroll ). Copies (order, Notice of Proposed Class Settlement, Class Notice and Consent Order) mailed to counsel; Order Furnished: Stan and Marie. (dkt clerk) Modified on 05/25/1994 (Entered: 05/25/1994)
05/25/1994	97	ORDER granting [95-1] joint motion for appointment of special master; appointing Mike Haley as Special Master to monitor the defendants' compliance with the Consent Order; payments of costs and fees incurred by the Special Master shall be the responsibility of the defendants; ( signed by Mag. Judge John L. Carroll ). Copies mailed to counsel. (dkt clerk) Modified on 05/25/1994 (Entered: 05/25/1994)
08/03/1994	98	Letter MOTION by Raoul S. Ali-Ali (AIS #176666) to be added as class plaintiff . Referred to Mag. Judge John L. Carroll (dkt clerk) Modified on 08/03/1994 (Entered: 08/03/1994)
08/08/1994	99	CERTIFICATE of compliance with Class Notice Provisions; Affidavit by Allen Moore and Affidavit of Publication by Paul R. Davis, Publisher - The Tuskegee News. Referred to Magistrate Judge Carroll (dkt clerk) (Entered: 08/10/1994)
08/23/1994	100	REPORT AND RECOMMENDATIONS of Mag. Judge John L. Carroll 1) That a class be certified pursuant to the provisions of Fed.R.Civ.P. 23 (b)(2) consisting of all persons who are now, or in the future will be, incarcerated at the present or any future Macon County Jail in Tuskegee, AL; 2) That the joint motion for approval of consent order, 4/20/94, be GRANTED; and 3) That the consent order signed by the parties on 3/29/94 be APPROVED, ADOPTED and ENTERED as the judgment of this court. Objections to R and R due by 9/12/94. Copies mailed to counsel. (dkt clerk) (Entered: 08/23/1994)

09/13/1994		File with Report & Recommendations referred to Magistrate Judge Carroll. (dkt clerk) (Entered: 09/13/1994)
09/13/1994		File with proposed order referred to Judge De Ment. (dkt clerk) (Entered: 09/13/1994)
09/14/1994	101	ORDER adopting [100-1] report and recommendations; ORDER, JUDGMENT and DECREE Certifying Class pursuant to the provisions of Fed.R.Civ.P. 23(b)(2), consisting of all persons who are now, or in the future will be, incarcerated at the present or any future Macon County Jail in Tuskegee, AL ; granting [92-1] motion for Approval of Consent Order; APPROVING, ADOPTING and ENTERING the consent order signed by the parties on 8/29/94, as the JUDGMENT of this court; (signed by Judge Ira De Ment). Copies mailed to plaintiff and counsel. (dkt clerk) (Entered: 09/14/1994)
09/14/1994	102	CONSENT ORDER that defendants shall finance, design, construct and maintain a new jail facility to replace the existing Macon County Jail and shall be completed no later than 5/1/96 and shall be built in accordance with the Standards for Adult Local Detention Facilities as promulgated by the American Correctional Association (ACA) as further set out in order; defendants shall maintain policies and procedures which at a minimum cover each substantive area of this Order and conform with all federal, state and local laws & standards as further set out; defendants shall provide these policies and procedures in the form of an inmate handbook to all incoming inmates as further set out; if the completion of the new jail facility is delayed for any reason, the Plaintiffs shall have the right to seek additional relief from the Court; except where otherwise specifically indicated, the Defendants shall implement all provisions of this Order within 45 days of the signing of the Order; defendants shall make monthly reports giving the jail population statistics; the Court appointed Monitor shall file monthly reports on the Defendants' efforts to comply with this Order until such time as all provisions of this Order have been implemented; Counsel for Plaintiffs and the Court Appointed Monitor shall have access to copies of all documents, records and recordings which relate to the implementation of this Order as further set out; This Court has jurisdiction over the subject matter of this action and the parties hereto; the Court shall retain jurisdiction in this case to ensure that this Order and all plans incorporated herein are fully implemented as further set out The Defendants shall immediately explain the terms of this Order to all of their agents, servants, representatives and employees in any way connected or potentially involved with the jail, including jail staff and Sheriffs' deputies, as more specifically set out in order, in order to ensure their understanding of the requirements of this Order and the necessity for strict compliance therewith; that all jail staff members shall sign a statment indicating that they have read and understood this Order; such statements shall be retained by the Defendants; that the defendants shall provide notice of this Order's terms to all members of the Plaintiff class as further set out; If the Plaintiffs believe that the Defendants are in violation of any part of this Order, they shall notify the Defendants of the alleged violation; Defendants have 30 days from time of written

		notification to remedy problem; any dispute that cannot be settled by the parties shall be resolved by the U.S. District Court; ( signed by Judge Ira De Ment ). Copies mailed to counsel. (dkt clerk) Modified on 09/15/1994 (Entered: 09/14/1994)
09/14/1994		Case closed (dkt clerk) (Entered: 09/15/1994)
09/23/1994	103	MOTION by Robert L. McCray, Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, and Jesse Graham for Attorney Fees and Costs ; (Attachment). Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 09/26/1994)
09/30/1994	104	ORDER directing the parties to confer in an attempt to reach agreement on plaintiffs' motion for attorneys' fees and costs; advising that if the parties are unable to reach an agreement as to the amount of attorneys' fees, the plaintiffs are directed to file further itemization and appropriate affidavits and documentation on or before 11/10/94; the defendants shall then file a response to the motion as supplemented; Response to Motion set to 12/12/94 for motion for Attorney Fees and Costs ( signed by Mag. Judge John L. Carroll ) , copies mailed to counsel. (cc) (Entered: 09/30/1994)
02/09/1995	105	ORDER that the attached letter be filed as the first monthly report of the special master in this case; ( signed by Mag. Judge John L. Carroll ). Copies mailed to counsel and special master. (dkt clerk) (Entered: 02/09/1995)
02/09/1995	106	FIRST STATUS REPORT by Michael W. Haley (dkt clerk) (Entered: 02/09/1995)
04/03/1995	107	STATUS REPORT for February by Special Master Michael W. Haley. (dkt clerk) (Entered: 04/03/1995)
04/11/1995	108	STATUS REPORT by Special Master Michael W. Haley for the month of March, 1995. Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 04/12/1995)
05/05/1995	109	JOINT MOTION by Robert L. McCray, Elbert Dawson, Eddie Macon, Allen Moore, Robin Collins, Lovie Thomas, Betty Hugley, Macon County Comm., Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, Jesse Graham, Dept. of Corrections, Tommy Herring, Macon Co., Alabama, Frank H. Lee, Lloyd Stillwell, Ernest - Magruder, Albert Daniels & Robert Berry for Approval of Notice ; (Attachments). Referred to Mag. Judge John L. Carroll (dkt clerk) Modified on 07/11/1995 (Entered: 05/08/1995)
05/05/1995	110	JOINT MOTION by Robert L. McCray, Elbert Dawson, Eddie Macon, Allen Moore, Robin Collins, Lovie Thomas, Betty Hugley, Macon County Comm., Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, Jesse Graham, Dept. of Corrections, Tommy Herring, Macon Co., Alabama, Frank H. Lee, Lloyd Stillwell, Ernest - Magruder, Albert Daniels & Robert Berry for Approval of "Consent Order on Damages" ; (proposed Consent Order with

		Appendix A attached). Referred to Mag. Judge John L. Carroll (dkt clerk) Modified on 05/08/1995 (Entered: 05/08/1995)
05/19/1995	111	ORDER that the proposed Consent Order on Damages is preliminarily approved; that the Clerk of Court attach Appendix A of the Consent Order on Damages to the Amended Complaint filed May 20, 1993 to reflect the terms of the Consent Order on Damages; that the notice attached to the [109-1] Joint Motion for Approval of Notice is approved; that the Defendants shall post the Notice of Proposed Settlement of Class Action on Damages and a copy of the Consent Order on Damages on or before the 1st day of June, 1995 in the Macon County Jail in each cellblock and the booking room; that said Notice and Consent Order shall remain posted continuously until the 7th day of July, 1995; that the Notice of Proposed Settlement of Class Action on Damages attached to the Joint Motion for Approval of Notice shall be printed once each week for three consecutive weeks in a newspaper of general circulation in Macon County, Alabama, prior to the 7th day of July, 1995 by defendants; the notice shall be at least two columns wide; the plaintiffs shall mail a copy of said Notice to the last known address of each subclass member; that any oral objections to the Consent Order on Damages by prisoners must be made to the Magistrate Judge at a hearing to be held in the Macon County Jail at 10:00 a.m. on the 11th day of July, 1995; that any written objections to the Consent Order on Damages must be received by the clerk of this Court by the close of business on the 7th day of July, 1995; that proofs of claim be received by the Clerk of this Court by the close of business on the 7th day of July, 1995; that a hearing be set for 2:00 7/11/95 on the proposed Consent Order on Damages at the Federal Courthouse in Montg., Ala.; that the parties shall file with the Court prior to the hearing appropriate documentation demonstrating that they have given notice to the class in the manner described above; the parties are cautioned that before notice is sent, notice must be signed by the Clerk of this Court ( signed by Mag. Judge John L. Carroll ) , copies mailed to counsel w/Notice of Proposed Settlement of Class Action on Damages and Proof of Claim Form. (cc) (Entered: 05/22/1995)
07/05/1995	112	NOTICE of Compliance to court's order, 5/19/95, by Robert L. McCray, Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, and Jesse Graham. Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 07/05/1995)
07/10/1995	113	CERTIFICATE of Compliance with Class Notice Provisions; Affidavit by Tony B. Brooks; Affidavit of Publication. Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 07/11/1995)
07/11/1995		CONSENT HEARING - HELD - 7/11/95 at 10:00 A.M. Re: [109-1] joint motion for Approval of Notice and [110-1] joint motion for Approval of "Consent Order on Damages" (dkt clerk) (Entered: 07/11/1995)
07/11/1995		CONSENT HEARING - HELD - 7/11/95 at 2:00 P.M. Re: [109-1] joint motion for Approval of Notice and [110-1] joint motion for Approval of "Consent Order on Damages" (dkt clerk) (Entered: 07/11/1995)

10/26/1995	114	REPORT AND RECOMMENDATIONS of Mag. Judge John L. Carroll that the joint motion for approval of consent order on damages be GRANTED and that the consent order on damages be APPROVED, ADOPTED, and ENTERED as the judgment of this court. Objections to R and R due by 11/13/95. Copies mailed to counsel and special master. (dkt clerk) (Entered: 10/26/1995)
10/26/1995	114	ORDER that upon adoption of [114-1] Recommendation by the District Judge to whom this case is assigned, counsel for the plaintiffs will tabulate the total number of days claimed by all individuals and divide \$5,000.00 by the result; counsel will then multiply the resulting figure by the number of days claimed by each inmate to arrive at each inmate's amount of compensation; the list of calculations made by plaintiff's counsel which will include the home addresses of each claimant will then be sent to defense counsel who will be responsible for mailing the awards; if there are any individuals whose claims fall outside the claims period, plaintiffs' counsel will notify them that they cannot be compensated under the terms of the lawsuit and that they may take any individual action to pursue any relief that they believe are due; final disbursement should occur within 30 days of the date of the order adopting the magistrate judge's Recommendation; ( signed by Mag. Judge John L. Carroll ). Copies mailed to counsel & special master. (dkt clerk) (Entered: 10/26/1995)
11/14/1995		File with Recommendation referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 11/14/1995)
11/30/1995		File with proposed order & proposed consent order on damages referred to Judge De Ment (dkt clerk) (Entered: 11/30/1995)
12/04/1995	115	ORDER granting [110-1] joint motion for Approval of "Consent Order on Damages"; ( signed by Judge Ira De Ment ). Copies mailed to counsel. (dkt clerk) (Entered: 12/04/1995)
12/04/1995	116	CONSENT ORDER on DAMAGES is regarding the portion of the suit regarding damages claims arising from the housing of plaintiff sub-class members in the sweatbox at any time between 5/20/93 and 1/17/95; the parties stipulate to the amendment of the Amended Complaint, filed on 5/20/93, to reflect the formation of the sub-class and its claim for damages; Amended paragraphs, styled as Appendix A, are to be attached to the Amended Complaint filed 5/20/93; Defendants agree to pay each member of the Plaintiff sub-class \$25.00 per day for each day that they were housed in the sweat box at any time between 5/20/93 & 1/17/95; This money is to be drawn from a \$5,000.00 fund set aside by Defendants which represents the full liability of Defendants for those claims; In order to make a valid claim for their portion of the money damages, Plaintiff sub-class members must file a Proof of Claim Form attesting to the number of days that they were housed in the sweat box at any time between 5/20/93 & 1/17/95, as further set out in order; By cashing the check received pursuant to filing the Proof of Claim Form, Plaintiff sub-class members will be releasing Defendants from damages claims arising from their incarceration at any time between 5/20/93 &



		1/17/95; This release will not protect Defendants from claims filed regarding incarceration in the sweat box that occur at times not addressed by this Consent Order on Damages; In the event that the amount sought through valid claims received by the Clerk of Court exceeds the amount of the fund, the amount of each award will be divided proportionally between claims filing valid claims by the number of days each individual was housed in the sweat box; In the event the amount sought through valid claims is less than the amount of the fund, the remainder will be disbursed to the payor of the fund after all valid claims have been paid; Defendants agree not to use the sweat box to house any individual incarcerated at the Macon County Jail unless the cell is in compliance with all provisions of the Consent Order; Defendants have already paid Plaintiffs reasonable attorneys' fees and costs as they relate to the damages claim; (signed by Judge Ira De Ment). Copies mailed to counsel (dkt clerk) (Entered: 12/04/1995)
01/30/1996	117	NOTICE of Attorney Appearance for Robert L. McCray, Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon and Jesse Graham by Robert E. Toone, Esq. (dkt clerk) (Entered: 01/30/1996)
01/30/1996	118	MOTION for Robert E. Toone to Appear Pro Hac Vice FILING FEE \$10.00 RECEIPT #58715 ; (Certificate of good standing attached). Referred to Judge Ira De Ment. (dkt clerk) Modified on 01/30/1996 (Entered: 01/30/1996)
01/31/1996		Stamped ORDER granting [118-1] motion for Robert E. Toone to Appear Pro Hac Vice; ( signed by Judge Ira De Ment ). Copies mailed to counsel. (dkt clerk) (Entered: 01/31/1996)
02/05/1996	119	MOTION for E. Wray Smith to Withdraw as Attorney . Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 02/06/1996)
02/08/1996		Stamped ORDER granting [119-1] motion for E. Wray Smith to Withdraw as Attorney; (Terminated attorney E. Wray Smith for Macon County Comm., Betty Lovie Thomas, Robin Collins, Allen Moore, Eddie Macon, and Elbert Dawson; ( signed by Mag. Judge John L. Carroll ). Copies mailed to counsel. (dkt clerk) (Entered: 02/08/1996)
02/13/1996	120	MOTION by plaintiffs for Order to Show Cause why defendants should not be held in contempt ; (Attachments A-E); (proposed order attached). Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 02/14/1996)
02/13/1996	121	MEMORANDUM of LAW by plaintiffs in Support of [120-1] motion for Order to Show Cause why defendants should not be held in contempt by plaintiffs. Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 02/14/1996)
02/15/1996	122	ORDER TO SHOW CAUSE: directing defendants to show cause why they should not be held in contempt of court for their failure to comply with the Consent Order approved and entered by this court; Response to Order to Show Cause due on 2/25/96 for defendants; ( signed by Mag. Judge John L. Carroll ). Copies mailed to counsel and special master.

		(dkt clerk) (Entered: 02/15/1996)
02/20/1996	123	MOTION by Macon Co., Alabama and Sheriff David Warren to Extend Time to file response to Show Cause Order . Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 02/21/1996)
02/21/1996	124	RETURN RECEIPT CARDS showing service of Show Cause Order on Bette D. Schild on 2/16/96 for Ellen Leonard, Esq. and Andrew W. Redd, Esq; on (illegible) on 2/19/96 for Kendrick E. Webb, Esq.; and on LaTasha M. Dodd on 2/20/96 for Jock Michael Smith, Esq. (dkt clerk) (Entered: 02/21/1996)
02/22/1996		Stamped ORDER granting [123-1] motion to Extend Time to file response to Show Cause Order; reset response to Order to Show Cause due on 3/11/96 for Macon Co., Alabama and Sheriff David Warren ; ( signed by Mag. Judge John L. Carroll ). Copies mailed to counsel and special master. (dkt clerk) (Entered: 02/22/1996)
03/08/1996	125	MOTION by Macon Co., Alabama and Sheriff David Warren to Extend Time to file response to Show Cause Order, 2/15/96 . Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 03/11/1996)
03/14/1996		Stamped ORDER granting [125-1] motion to Extend Time to file response to Show Cause Order, 2/15/96; reset Response to Order to Show Cause due on 3/18/96 for Macon Co., Alabama and Sheriff David Warren ; ( signed by Mag. Judge John L. Carroll ). Copies mailed to counsel & special master. (dkt clerk) (Entered: 03/14/1996)
03/18/1996	126	THIRD MOTION by Sheriff David Warren and Macon Co., Alabama to Extend Time to file Response to Show Cause Order . Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 03/19/1996)
03/21/1996		Stamped ORDER granting [126-1] motion to Extend Time to file Response to Show Cause Order; reset response to Order to Show Cause due on 3/22/96 for Macon Co., Alabama and Sheriff David Warren ; ( signed by Mag. Judge John L. Carroll ). Copies mailed to counsel. (dkt clerk) (Entered: 03/21/1996)
03/22/1996	127	RESPONSE by defendants to [120-1] motion for Order to Show Cause why defendants should not be held in contempt by plaintiffs; Affidavits by David M. Warren, Tony Brooks, Alvena Williams, and Bessie Baldwin in support of said response. Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 03/25/1996)
03/25/1996	128	SUPPLEMENTAL RESPONSE by defendants to [120-1] motion for Order to Show Cause why defendants should not be held in contempt by plaintiffs; (Affidavits by Elora Wood and Bessie Baldwin attached). Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 03/26/1996)
04/01/1996	129	ORDER setting Status Conference to 3:00 P.M. on 4/22/96, in the Chambers of Mag. Judge John L. Carroll, Room 312, The Frank M. Johnson, Jr. Federal Building & U.S. Courthouse, Montgomery, AL ; ( signed by Mag. Judge John L. Carroll ). Copies mailed to counsel;

		Furnished: Stan, Marie & USM. (dkt clerk) (Entered: 04/01/1996)
04/23/1996	130	ORDER Motion Hearing set for 9:30 A.M. on 6/27/96 before Mag. Judge John L. Carroll for [120-1] motion for Order to Show Cause why defendants should not be held in contempt, in the Third Floor Courtroom, The Frank M. Johnson, Jr. Federal Building & U.S. Courthouse, Montgomery, AL ; (signed by Mag. Judge John L. Carroll). Copies mailed to counsel; Furnished: Stan, Marie & USM. (dkt clerk) (Entered: 04/23/1996)
05/20/1996	131	MOTION by Elbert Dawson, Eddie Macon, Macon Co., Alabama, Frank H. Lee, Lloyd Stillwell, Ernest - Magruder, Albert Daniels, Robert Berry to continue motion hearing set for 6/27/96 referred to Mag. Judge John L. Carroll (jct) (Entered: 05/20/1996)
05/22/1996	132	ORDER granting [131-1] motion to continue motion hearing set for 6/27/96; motion hearing reset to 9:30 A.M. on 7/8/96, before Mag. Judge John L. Carroll in the Third Floor Courtroom, The Frank M. Johnson, Jr. Federal Building & U.S. Courthouse, Montgomery, AL Re: [120-1] motion for Order to Show Cause why defendants should not be held in contempt ; ( signed by Mag. Judge John L. Carroll ). Copies mailed to counsel; Furnished: Stan, Marie & USM. (dkt clerk) (Entered: 05/22/1996)
06/18/1996	133	MOTION by Robert L. McCray, Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, and Jesse Graham for Procurement of Witnesses ; (Subpoenas attached). Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 06/18/1996)
06/20/1996	134	ORDER directing the clerk of this court to issue subpoenas to Frank Lee, Ernest T. Magruder, Albert Daniels, Robert "Mike" Berry, Miles D. Robinson, David Warren, and Tony Brooks for the Evidentiary Hearing set for 7/8/96, at 9:30 A.M. in the Third Floor Courtroom, The Frank M. Johnson, Jr. Federal Building & U.S. Courthouse, Montgomery, AL; ORDERED directing persons having custody of Phillip Cooper, William Ezell & Cordis Hann at the Macon County Jail to produce that at said Evidentiary Hearing; further ORDERED that the U.S. Marshal execute and serve the necessary process herein; ( signed by Mag. Judge John L. Carroll ). Copies mailed to counsel, Hon. Cecil Atchison, Sheriff & Chief Jailer - Macon County Jail. (dkt clerk) (Entered: 06/20/1996)
06/20/1996	134	SUBPOENAS ISSUED for Frank Lee, Ernest T. Magruder, Albert Daniels, Robert "Mike" Berry, Miles D. Robinson, David Warren and Tony Brooks and delivered to U.S. Marshal, as directed. (dkt clerk) (Entered: 06/20/1996)
07/02/1996	135	MOTION by Macon Co., Alabama, Macon County Comm., Frank H. Lee, Lloyd Stillwell, Albert Daniels, Ernest - Magruder, and Robert Berry to Modify Consent Order . Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 07/02/1996)
07/08/1996		MOTION HEARING - HELD Re: [120-1] motion for Order to Show Cause why defendants should not be held in contempt by plaintiffs (dkt

		clerk) (Entered: 07/09/1996)
07/08/1996	136	Courtroom Deputy's MINUTES of proceedings; Witness lists attached; Exhibits lists attached (Exhibits maintained in separate envelope with file) (dkt clerk) (Entered: 07/09/1996)
07/08/1996	137	JOINT MOTION by plaintiffs and defendants for additional relief and measures to ensure compliance with previous orders entered by the court filed in open court; (proposed order attached). (dkt clerk) (Entered: 07/09/1996)
07/09/1996	138	ORDER Brief in Support due by 7/18/96 for defendants ; setting Reply Brief to Brief in Support deadline for 7/25/96 for plaintiffs ; setting Reply Brief deadline for 7/29/96 for defendants ; ( signed by Mag. Judge John L. Carroll ). Copies mailed to counsel. (dkt clerk) (Entered: 07/09/1996)
07/15/1996	139	MOTION by defendants to Extend Time to file Brief in Support . Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 07/15/1996)
07/16/1996	140	ORDER that a transcript be prepared of the hearing held by Judge Carroll on 7/8/96, for the court's use only; ( signed by Mag. Judge John L. Carroll ). Copies mailed to counsel; Furnished: Curtis & Marie. (dkt clerk) (Entered: 07/16/1996)
07/16/1996	141	ORDER granting [139-1] motion to Extend Time to file Brief in Support; Brief in Support deadline reset to 7/22/96 for defendants ; ( signed by Mag. Judge John L. Carroll ). Copies mailed to counsel. (dkt clerk) (Entered: 07/16/1996)
07/22/1996	142	MEMORANDUM BRIEF by Elbert Dawson, Eddie Macon, Allen Moore, Robin Collins, Lovie Thomas, Betty Hugley, Macon County Comm., Dept. of Corrections, Tommy Herring, Macon Co., Alabama, Frank H. Lee, Lloyd Stillwell, Ernest - Magruder, Albert Daniels, and Robert Berry in Support of their position. Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 07/24/1996)
07/25/1996	143	MOTION by plaintiffs for Contempt Sanctions ; (Attachment). Referred to Mag. Judge John L. Carroll (dkt clerk) Modified on 07/26/1996 (Entered: 07/26/1996)
07/25/1996	144	MEMORANDUM of LAW by plaintiffs in Opposition to [135-1] motion to Modify Consent Order by defendants. Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 07/26/1996)
07/25/1996	144	MEMORANDUM of LAW by plaintiffs in Support of [143-1] motion for Contempt Sanctions by plaintiffs. Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 07/26/1996)
07/29/1996		Court reporter's (Betty Murphree) TRANSCRIPT on Motion Hearing Re: motion for order to show cause for dates of 7/18/96 before Mag. Judge John L. Carroll. Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 07/29/1996)
08/13/1996	145	ORDER directing that the defendants file on or before 8-22-96, a

		proposed schedule for completion of a new jail ( signed by Mag. Judge John L. Carroll ). Copies mailed to counsel. (djt) (Entered: 08/13/1996)
08/22/1996	146	SUBMISSION by defendants of proposed schedule for completion of new jail; (Exhibits A - B attached). Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 08/23/1996)
10/01/1996	147	REPORT AND RECOMMENDATIONS of Mag. Judge John L. Carroll 1) that the Motion to Modify Consent Order filed by the defendants be DENIED; 2) that the Motion for Contempt Sanctions filed by the plaintiffs be GRANTED; 3) that the construction of the Macon County Jail proceed on the following schedule: A) the bid shall be awarded on or before 12/15/96; B) construction of the new Macon County Jail shall commence on or before 1/15/97; and C) the jail shall be completed and occupied on or before 6/30/97; and 4) that for everyday that the defendants are past a deadline on the schedule, they are to pay \$100.00 per inmate housed in the current jail until that deadline is set; this money will remain in a fund maintained by the court for the benefit of the inmates at the Macon County Jail, to be disbursed at the discretion of the court-appointed monitor and the plaintiffs' counsel, upon approval of the court. Objections to R and R due by 10/21/96. Copies mailed to counsel. (dkt clerk) (Entered: 10/01/1996)
10/23/1996		File with proposed order referred to Judge De Ment (dkt clerk) (Entered: 10/23/1996)
10/24/1996	148	ORDER there being no objections to [147-1] Recommendation, adopting [147-1] report and recommendations; ORDER, JUDGMENT and DECREE 1) denying [135-1] motion to Modify Consent Order 2) granting [143-1] motion for Contempt Sanctions; 3) that the construction of the Macon County Jail proceed on the following schedule: A) the bid shall be awarded on or before 12/15/96; B) Construction of the new Macon County Jail shall commence on or before 1/15/97; and C) the jail shall be completed and occupied on or before 6/30/97; and 4) that for everyday that the defendants are past a deadline on the schedule, they are to pay \$100.00 per inmate housed in the current jail until that deadline is met; this money will remain in a fund maintained by the court for the benefit of the inmates at the Macon County Jail, to be disbursed at the discretion of the court-appointed monitor and the plaintiffs' counsel, upon approval of the court; ( signed by Judge Ira De Ment ). Copies mailed to counsel. PLRA Notice mailed. (dkt clerk) Modified on 10/24/1996 (Entered: 10/24/1996)
10/31/1996	149	MOTION for Lynnae Thandiwe to Withdraw as Attorney for plaintiffs ; (proposed order attached). Referred to Mag. Judge John L. Carroll (dkt clerk) Modified on 10/31/1996 (Entered: 10/31/1996)
11/06/1996	150	ORDER granting [149-1] motion for Lynnae Thandiwe to Withdraw as Attorney for plaintiffs (Terminated attorney Lynnae F. Thandiwe for Jesse Graham, Darrie Cannon, Roosevelt Cowan, James - Campbell, John Robinson, Eric Ligon, Jessie Ellis, and Robert L. McCray; ( signed by Mag. Judge John L. Carroll). Copies mailed to counsel. (dkt clerk)

		Modified on 11/06/1996 (Entered: 11/06/1996)
12/10/1996	151	ORDER upon consideration of the parties' Joint Motion for Additional Relief and Measures to Ensure Compliance with Previous Orders Entered by the Court, it is hereby ORDERED that 1) Beginning on 10/1/96, salaries for all jailers at the Macon County Jail (hereinafter "the Jail") shall be increased to \$12,000 per year; Beginning on 4/1/97, salaries for all jailers who have successfully completed the 80-hour Basic Jail Management trailing course and have been employed for at least six months shall be increased to \$12,500 per year; 2) Defendants shall purchase and install two time clocks at the end of the long hallways on the second floor of the Jail; Jailers shall use these time clocks to record their regular inspections of the Jail, as required by Paragraph 73 of the Consent Order; Plaintiffs shall have access to these records pursuant to Paragraph 123 of the Consent Order; 3) Defendants shall send by first-class mail reports to plaintiffs' counsel and the court-appointed monitor on the 1st and 15th month of each month containing information as set out in order; these reports shall be in a form approved by the court-appointed monitor after consultation with plaintiffs' counsel and the Sheriff or his designee; 4) On August 1996 defendants shall send five jailers to the 80-hour Basic Jail Management training course in Barbour County, AL; all remaining jailers who require training pursuant to Paragraph 19 of the Consent Order shall attend the next scheduled training course; 5) Defendants shall pay plaintiffs' counsel \$6000.00 for fees and costs incurred in litigating these entire contempt proceedings; 6) Notwithstanding Paragraph 129 of the Consent Order, plaintiffs shall have the right to seek relief in the U.S. District Court for future violations of this Order of the Consent Order 15 days after notifying defendants in writing of the alleged violations; further ORDERED that defendants shall comply with all other terms of the Consent Order; ( signed by Mag. Judge John L. Carroll ). Copies mailed to counsel. (dkt clerk) (Entered: 12/10/1996)
12/23/1996	152	NOTICE of Awarding of Contract by defendants; (Exhibit A attached). Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 12/24/1996)
01/06/1997		File referred to law clerk - Cindy (dkt clerk) (Entered: 01/06/1997)
02/12/1997	153	MOTION by Robert L. McCray, Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, Jesse Graham for Writ of Execution (w/attachments) referred to Mag. Judge Carroll (vmc) Modified on 02/18/1997 (Entered: 02/12/1997)
02/18/1997		File referred to Judge De Ment (per instructions) (dkt clerk) (Entered: 02/18/1997)
02/18/1997	154	ORDER directing following defendants to appear at the Frank M. Johnson, Jr. Federal Building & U.S. Courthouse (1st Floor Courtroom, directed orally): 1) Sheriff David Warren; 2) Chairperson of Commissioners Frank H. Lee; 3) Commissioner Lloyd Stillwell; 4) Commissioner Ernest Magruder; 5) Commissioner Albert Daniels; 6) Commissioner Robert Berry; and 7) Commissioner - ADOC Tommy

		Herring; Motion Hearing set for 1:00 p.m. on 2/27/97 before Judge Ira De Ment for [153-1] motion for Writ of Execution ; ORDERED directing defendants to bring all records and documentation necessary to establish the number of prisoners that have been housed in the Macon County Jail on each day since 1/15/97; further CONSIDERED and ORDERED directing the U.S. Marshal to effect personal service of this order on each of the said defendants; ( signed by Judge Ira De Ment ). Copies mailed to counsel. (dkt clerk) (Entered: 02/18/1997)
02/25/1997	155	NOTICE of Compliance with construction deadline by defendants. Referred to Judge Ira De Ment (dkt clerk) (Entered: 02/26/1997)
02/25/1997	155	MOTION by defendants for Evidentiary Hearing on Construction Issue . Referred to Judge Ira De Ment (dkt clerk) (Entered: 02/26/1997)
02/26/1997	156	NOTICE of filing Exhibit A by defendants; (Exhibit A attached). (dkt clerk) Modified on 02/26/1997 (Entered: 02/26/1997)
02/26/1997	156	AMENDED CERTIFICATE OF SERVICE by defendants. Referred to Judge Ira De Ment (dkt clerk) Modified on 02/26/1997 (Entered: 02/26/1997)
02/26/1997	157	MOTION by defendants to allow substitution of defendants and witnesses at hearing . Referred to Judge Ira DeMent (dkt clerk) Modified on 02/26/1997 (Entered: 02/26/1997)
02/27/1997		Stamped ORDER granting [157-1] motion to allow substitution of defendants and witnesses at hearing; (signed by Judge Ira De Ment ). Copies mailed to plaintiffs and consel . (dkt clerk) (Entered: 02/27/1997)
02/27/1997		Motion Hearing - HELD - RE: [153-1] motion for Writ of Execution by plaintiffs (to determine amount of contempt damages) (dkt clerk) (Entered: 02/28/1997)
02/27/1997	158	Courtroom Deputy's MINUTES of proceedings: Court proceeding - Hearing to determine amount of contempt damages before Judge Ira De Ment on 2/27/97; court finds that construction of the Macon County Jail commenced on 1/15/97, and that there is no need to proceed further at this time (dkt clerk) Modified on 02/28/1997 (Entered: 02/28/1997)
03/10/1997	159	STATUS REPORT by Michael W. Haley. Referred to Judge Ira De Ment (dkt clerk) (Entered: 03/11/1997)
06/23/1997	160	STATUS REPORT by Michael W. Haley; (Attachments). (dkt clerk) (Entered: 06/24/1997)
06/27/1997	161	MOTION by Macon Co., Alabama, Macon County Comm., Jesse Upshaw, Miles Robinson, Albert Daniels, Omar Neal, Robert Berry and Sheriff David Warren to Modify [148-1] Order ; (Exhibit A attached). Referred to Judge Ira De Ment (dkt clerk) (Entered: 06/30/1997)
06/30/1997	162	ORDER TO SHOW CAUSE: directing plaintiff to show cause, if any there be, why motion to modify court's order, 10/24/96, should not be granted; Response to Order to Show Cause due on 7/14/97 for Robert L.

		McCray, Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, and Jesse Graham; ( signed by Judge Ira De Ment ). Copies mailed to counsel. (dkt clerk) (Entered: 06/30/1997)
07/07/1997	163	RETURN RECEIPT CARD showing service of Show Cause Order on (illegible) on 7/2/97 for Robert E. Toone, Esq. (dkt clerk) (Entered: 07/07/1997)
07/14/1997	164	RESPONSE by plaintiffs to [161-1] motion to Modify [148-1] Order by defendants. Referred to Mag. Judge John L. Carroll (dkt clerk) (Entered: 07/14/1997)
07/16/1997		File with Response to [161-1] motion to modify [148-1] order referred to Judge De Ment (dkt clerk) (Entered: 07/16/1997)
09/29/1997	165	STATUS REPORT by Michael W. Haley for September, 1997. Referred to Judge Ira De Ment (dkt clerk) (Entered: 10/01/1997)
03/05/1998	166	ORDER setting Status Conference for 8:30 a.m. on 3/20/98 in the Chambers of U.S. Mag. Judge John L. Carroll, Room 312, The Frank M. Johnson, Jr. Federal Building & U.S. Courthouse, Montgomery, AL ; ( signed by Mag. Judge John L. Carroll ). Copies mailed to counsel; Furnished: Stan & Marie. (dkt clerk) (Entered: 03/05/1998)
03/26/1998	167	ORDER denying as moot: [103-1] motion for Attorney Fees and Costs, [120-1] motion for Order to Show Cause why defendants should not be held in contempt, [133-1] motion for Procurement of Witnesses, [153-1] motion for Writ of Execution, and [155-1] motion for Evidentiary Hearing on Construction Issue; ( signed by Mag. Judge John L. Carroll ). Copies mailed to counsel. (dkt clerk) (Entered: 03/26/1998)
10/12/1999	168	ORDER that two motions are still pending but that have been resolved; CONSIDERED and ORDERED denying as moot[161-1] motion to Modify [148-1] Order; denying as moot [137-1] joint motion for additional relief and measures to ensure compliance with previous orders entered by the court; (signed by Judge Ira De Ment). Copies mailed to counsel. (dkt clerk) (Entered: 10/12/1999)
09/01/2000	169	MOTION for Robert E. Toone to Withdraw as Attorney for Plaintiff and to Substitute Attorney Tammy W. Sun . Referred to Judge Ira De Ment (dkt clerk) (Entered: 09/05/2000)
09/01/2000	170	MOTION by Robert L. McCray, Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, Jesse Graham for Tammy W. Sun to Appear Pro Hac Vice; FILING FEE \$20.00; RECEIPT #83471 ; (Certificate of good standing attached). Referred to Judge Ira De Ment (dkt clerk) (Entered: 09/05/2000)
09/07/2000	<a href="#">171</a>	Stamped ORDER granting [170-1] motion for Tammy W. Sun to Appear Pro Hac Vice; FILING FEE \$20.00; RECEIPT #83471 ( by Judge Ira De Ment ) , copies provided; furn: rl. (vmc) (Entered: 09/07/2000)
09/07/2000	<a href="#">172</a>	Stamped ORDER granting [169-1] motion for Robert E. Toone to



		Withdraw as Attorney for Plaintiff (Terminated attorney Robert E. Toone for Jesse Graham, attorney Robert E. Toone for Darrie Cannon, attorney Robert E. Toone for Roosevelt Cowan, attorney Robert E. Toone for James - Campbell, attorney Robert E. Toone for John Robinson, attorney Robert E. Toone for Eric Ligon, attorney Robert E. Toone for Jessie Ellis, attorney Robert E. Toone for Robert L. McCray, granting [169-2] motion to Substitute Attorney Tammy W. Sun terminated Added Attorney Tammy W. Sun ( by Judge Ira De Ment ) , copies provided; furn: rl. (vmc) (Entered: 09/07/2000)
09/07/2000		** Renoticed document [172-1] order (vmc) (Entered: 09/07/2000)
03/20/2001	173	MOTION by Elbert Dawson (David Warren, Sheriff of Macon County), Macon County Comm., Macon Co., Alabama to Terminate Consent Order referred to Judge Ira De Ment (kcg) (Entered: 03/21/2001)
03/22/2001	<a href="#">174</a>	ORDER TO SHOW CAUSE as to why dfts' motion to terminate consent order should not be granted: Response to Order to Show Cause due on 3/29/01 for Jesse Graham, for Darrie Cannon, for Roosevelt Cowan, for James - Campbell, for John Robinson, for Eric Ligon, for Jessie Ellis, for Robert L. McCray ( signed by Judge Ira De Ment ) , copies provided; furn: rl. (vmc) (Entered: 03/22/2001)
03/29/2001	175	RESPONSE by Robert L. McCray, Jessie Ellis, Eric Ligon, John Robinson, James - Campbell, Roosevelt Cowan, Darrie Cannon, Jesse Graham to [173-1] motion to Terminate Consent Order by Macon Co., Alabama, Macon County Comm., Elbert Dawson referred to Judge Ira De Ment (kcg) (Entered: 03/29/2001)
04/04/2001	<a href="#">176</a>	Stamped ORDER granting [173-1] motion to Terminate Consent Order ( by Judge Ira De Ment ) , copies provided to counsel . (kcg) (Entered: 04/04/2001)

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<b>Transaction Receipt</b>			
10/13/2005 17:05:22			
<b>PACER Login:</b>	wu0055	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	3:92-cv-01180-ID-JLC
<b>Billable Pages:</b>	20	<b>Cost:</b>	1.60