

CLOSED

**U.S. District Court
Northern District of Alabama (Southern)
CIVIL DOCKET FOR CASE #: 2:98-cv-01097-IPJ**

Mumpower, et al v. Shelby County, et al
Assigned to: Judge Inge P Johnson
Demand: \$0
Cause: 42:1983 Civil Rights Act

Date Filed: 05/04/1998
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff**Tami G Mumpower**

represented by **Jeffrey W Bennitt**
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Plaintiff

Cheryl Rhena Grauel
TERMINATED: 04/14/1999

represented by **Jeffrey W Bennitt**
(See above for address)
TERMINATED: 04/14/1999
ATTORNEY TO BE NOTICED

Kenneth F Gray, Jr
(See above for address)
TERMINATED: 04/14/1999
ATTORNEY TO BE NOTICED

Robyn Bufford Bennitt

(See above for address)
TERMINATED: 04/14/1999
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V.

Defendant

Shelby County
TERMINATED: 09/10/1998

represented by **Frank C Ellis, Jr**
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TERMINATED: 09/10/1998
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Defendant

James E Jones
Sheriff, Individually

represented by **Frank C Ellis, Jr**
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John W Dodson
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ATTORNEY TO BE NOTICED

L Hunter Compton, Jr
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Defendant

Wayne Watts
Individually

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L Hunter Compton, Jr
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ATTORNEY TO BE NOTICED

Defendant

Georgiana Smith

represented by **John W Dodson**
 (See above for address)
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L Hunter Compton, Jr
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant

Jason Smitherman
Individually

represented by **Frank C Ellis, Jr**
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ATTORNEY TO BE NOTICED

John W Dodson
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ATTORNEY TO BE NOTICED

L Hunter Compton, Jr
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ATTORNEY TO BE NOTICED

Defendant

Stacy Blankenship
Individually

represented by **Frank C Ellis, Jr**
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John W Dodson
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ATTORNEY TO BE NOTICED

L Hunter Compton, Jr
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/04/1998	1	COMPLAINT filed, amount paid \$ 150., receipt # 200 126042 (Former Employee) (Entered: 05/06/1998)
05/04/1998	2	REQUEST of plaintiff for service to Shelby County by certified mail filed (Former Employee) (Entered: 05/06/1998)
05/04/1998	3	REQUEST of plaintiff for service to Sheriff James Jones by certified mail filed (Former Employee) (Entered: 05/06/1998)
05/04/1998	4	REQUEST of plaintiff for service to Captain Wayne Watts by certified mail filed

		(Former Employee) (Entered: 05/06/1998)
05/04/1998	5	REQUEST of plaintiff for service to Deputy Jason Smitherman by certified mail filed (Former Employee) (Entered: 05/06/1998)
05/04/1998	6	REQUEST of plaintiff for service to Deputy Stacy Blankenship by certified mail filed (Former Employee) (Entered: 05/06/1998)
05/06/1998		SUMMONS and complaint issued certified mail to dfts. Shelby County, Sheriff James Jones, Captain Wayne Watts, Deputy Jason Smitherman, Deputy Stacy Blankenship by clerk. (Former Employee) (Entered: 05/06/1998)
05/11/1998	7	SUMMONS and complaint returned executed: upon defendant Shelby County on 5/7/98 filed (Former Employee) (Entered: 05/11/1998)
05/11/1998	8	SUMMONS and complaint returned executed: upon dft James E Jones, dft Jason Smitherman, dft Stacy Blankenship, dft Wayne Watts on 5/8/98 filed (Former Employee) (Entered: 05/13/1998)
06/03/1998	9	ANSWER by defendants w/appear by atty(s) John W Dodson, Frank C Ellis Jr filed cs (Former Employee) (Entered: 06/05/1998)
06/05/1998	10	ORDER that the parties are reminded of their obligaitons under Rule 26; further that any party anticipating seeking an award of attys fee must file time records as more fully set out in the order filed (by Judge C L. Smith Jr) cm (LCW) (Entered: 06/05/1998)
06/11/1998	11	MOTION by defendants to sever claims of pla Cheryl Rhena Grauel from this action filed cs (Former Employee) (Entered: 06/12/1998)
06/15/1998	12	OBJECTIONS by plas to [11-1] filed cs (Former Employee) (Entered: 06/17/1998)
06/22/1998	13	MOTION by pla Tami G Mumpower to amend complaint w/amendment to complaint attached filed cs (Former Employee) (Entered: 06/24/1998)
06/24/1998	14	Report of Parties (form 35) of compliance with FRCP 26 filed cs (Former Employee) (Entered: 06/26/1998)
06/30/1998	15	ORDER Scheduling that ;discovery cutoff 6/30/98 and dispositive motions deadline 02/01/99, by Judge C L. Smith Jr entered cm (DJG) (Entered: 06/30/1998)
07/06/1998	16	NOTICE of substitution of counsel filed by defendants cs (Former Employee) (Entered: 07/06/1998)
07/13/1998	17	16 - ORDER granting notice [16-1] (by Judge C L. Smith Jr) entered cm (Former Employee) (Entered: 07/13/1998)
07/13/1998	18	ORDER granting motion to amend complaint [13-1], dfts allowed 20 days to respond to amended complaint; denying motion to sever claims of pla Cheryl Rhena Grauel from this action [11-1] w/out prejudice to refile at close of discovery; case removed from 7/14/98 motion docket filed (by Judge C L. Smith Jr) cm (Former Employee) (Entered: 07/13/1998)
07/13/1998	19	AMENDMENT to complaint filed by plaintiff Tami G Mumpower [1-1] filed cs (Former Employee) (Entered: 07/23/1998)
08/17/1998	20	Notice of plaintiff of filing of attorney time records in response to order # [10-1] filed cs (Former Employee) (Entered: 08/19/1998)
09/10/1998	21	STIPULATION of parties for dismissal of dft Shelby County filed cs (Former

		Employee) (Entered: 09/10/1998)
09/10/1998	22	ORDER granting stipulation [21-1] to dismiss party Shelby County ; all remaining dfts shall file an answer to the complaint as amended w/in 10 days filed (by Judge C L. Smith Jr) cm (Former Employee) (Entered: 09/10/1998)
09/15/1998	23	MOTION by pla to compel initial disclosures filed cs (Former Employee) (Entered: 09/16/1998)
09/15/1998	25	Notice of plaintiff of filing of attorney time records in response to order # [10-1] filed no cs (Former Employee) (Entered: 09/17/1998)
09/15/1998	26	Notice of plaintiff of filing of attorney time records in response to order # [10-1] filed no cs (Former Employee) (Entered: 09/17/1998)
09/17/1998	24	ANSWER by dfts to amended complaint filed cs (Former Employee) (Entered: 09/17/1998)
09/17/1998	27	23 - ORDER finding the motion to compel initial disclosures [23-1] moot (by Judge C L. Smith Jr) entered cm (LCW) (Entered: 09/17/1998)
09/24/1998	28	MOTION by pla to amend complaint w/amended complaint attached filed cs (Former Employee) (Entered: 09/28/1998)
10/08/1998		DOCKET modification (utility event) ; Motion docket set for 10:00 10/20/98 in Huntsville (LCW) (Entered: 10/08/1998)
10/15/1998	29	ORDER granting motion to amend complaint [28-1] removed from Motion docket of 10/20/98 filed (by Judge C L. Smith Jr) (Former Employee) (Entered: 10/15/1998)
10/15/1998	30	AMENDED complaint filed by plaintiff [19-1], [1-1]; jury demand filed cs (Former Employee) (Entered: 10/15/1998)
10/15/1998	31	Notice of plaintiff of filing of attorney time records in response to order # [10-1] filed (Former Employee) (Entered: 10/19/1998)
11/02/1998	32	NOTICE of appearance for plas by Robyn G Bufford, Kenneth F Gray Jr filed cs (Former Employee) (Entered: 11/04/1998)
11/13/1998	33	MOTION by plas to amend complaint filed cs (Former Employee) (Entered: 11/16/1998)
11/13/1998	35	REQUEST of pla for service by certified mail re: Georgiana Smith filed (Former Employee) (Entered: 11/16/1998)
11/16/1998	34	33 - ORDER denying motion to amend complaint [33-1]; see scheduling order enterd 6/30/98 (doc 15) (by Judge C L. Smith Jr) entered cm (Former Employee) (Entered: 11/16/1998)
11/16/1998	36	Notice of plaintiff of filing of attorney time records in response to order # [10-1] filed cs (Former Employee) (Entered: 11/18/1998)
11/16/1998	37	Notice of plaintiff of filing of attorney time records in response to order # [10-1] filed cs (Former Employee) (Entered: 11/18/1998)
11/23/1998	38	NOTICE of reassignment Case reassigned to Judge Inge P. Johnson cm (Former Employee) (Entered: 11/23/1998)
11/25/1998	39	REQUEST of plaintiff for service by certified mail on dft Georgiana Smith filed

		(ASL) (Entered: 12/02/1998)
12/02/1998		SUMMONS and complaint issued on Georgiana Smith mailed certified mail (ASL) (Entered: 12/02/1998)
12/04/1998	40	SUMMONS and complaint returned executed: upon defendant Georgiana Smith on 12/3/98 filed (ASL) (Entered: 12/04/1998)
01/04/1999	41	MOTION by dfts to compel pla to produce records & documents relevant to the claims in her lawsuit filed w/exh att cs (ASL) (Entered: 01/05/1999)
01/04/1999	42	MOTION by dfts to extend time to depose John Giambrone & Georgiana Smith filed cs (ASL) (Entered: 01/05/1999)
01/07/1999	43	42 - ORDER granting motion to extend time to depose John Giambrone & Georgiana Smith [42-1] (by Judge Inge P. Johnson) entered cm (ASL) (Entered: 01/08/1999)
01/07/1999	44	41 - ORDER granting motion to compel pla to produce records & documents relevant to the claims in her lawsuit [41-1] (by Judge Inge P. Johnson) entered cm (ASL) (Entered: 01/08/1999)
01/25/1999	45	MOTION by dfts James E Jones, Wayne Watts, Jason Smitherman, Stacy Blankenship, Georgiana Smith to extend time for filing motions for summary judgment & to name expert filed cs (ASL) (Entered: 01/26/1999)
01/26/1999	46	MOTION by defendant Georgiana Smith to quash complaint served upon her filed w/exh att cs (ASL) (Entered: 01/27/1999)
01/28/1999	47	ORDER granting motion to extend time for filing motions for summary judgment until 2/26/99 & to name expert until 2/15/99 [45-1] filed (by Judge Inge P. Johnson) cm (ASL) (Entered: 01/28/1999)
01/28/1999	48	ORDER In-court hearing on dft's motion to quash set for 3:00 p.m. on 2/22/99 filed (by Judge Inge P. Johnson) cm (ASL) (Entered: 01/28/1999)
01/29/1999	49	ORDER (amended) In-court hearing on dft Georgiana Smith's motion to quash set for 9:00 a.m. on 2/16/99 in Birmingham, AL filed (by Judge Inge P. Johnson) cm (ASL) (Entered: 01/29/1999)
02/01/1999	50	NOTICE of compliance by plaintiff Tami G Mumpower with [44-1] filed w/exh att cs (ASL) (Entered: 02/02/1999)
02/04/1999	51	MOTION by plaintiff to amend complaint filed cs (ASL) (Entered: 02/05/1999)
02/10/1999	52	ORDER setting motion to amend complaint [51-1] ; on motion docket at 9:00 2/16/99 filed (by Judge Inge P. Johnson) cm (BST) (Entered: 02/10/1999)
02/10/1999	53	NOTICE of appearance for defendants by L Hunter Compton Jr filed cs (BST) (Entered: 02/11/1999)
02/10/1999	54	OBJECTIONS by defendants James E Jones, Wayne Watts, Stacy Blankenship, Jason Smitherman to motion for leave to amend [51-1] filed cs (BST) (Entered: 02/11/1999)
02/16/1999	55	ORDER denying motion to quash complaint served upon her [46-1] denying motion to amend complaint [51-1] filed (by Judge Inge P. Johnson) cm (BST) (Entered: 02/16/1999)
02/23/1999	56	ANSWER to amended complaint by defendants filed cs (BST) (Entered:

		02/23/1999)
02/26/1999	57	MOTION by defendants for summary judgment w/ exh att filed cs (BST) (Entered: 02/26/1999)
03/01/1999	58	ORDER that the parties shall comply with the sumjgm scheduling order att as exh A filed (by Judge Inge P. Johnson) cm (BST) (Entered: 03/01/1999)
03/05/1999	59	WITNESS list by defendants filed cs (BST) (Entered: 03/08/1999)
03/05/1999	59	EXHIBIT list by defendants filed cs (BST) (Entered: 03/08/1999)
03/05/1999	60	WITNESS list by plaintiffs Tami G Mumpower and Cheryl Rhena Grauel filed cs (BST) Modified on 03/09/1999 (Entered: 03/09/1999)
03/05/1999	60	EXHIBIT list by plaintiffs Tami G Mumpower and Cheryl Rhena Grauel filed cs (BST) (Entered: 03/09/1999)
03/05/1999	60	DAMAGE list of plaintiffs Tami G Mumpower and Cheryl Rhena Grauel filed cs (BST) (Entered: 03/09/1999)
03/12/1999	61	SUBMISSION of discovery by plaintiff Tami G Mumpower, plaintiff Cheryl Rhena Grauel in opposition to dft's motion for sumjgm filed cs (BST) (Entered: 03/15/1999)
03/15/1999		Notice of plaintiff of filing of attorney time records in response to order # [10-1] w/sealed envelope of time records attached filed cs (Former Employee) (Entered: 03/17/1999)
03/16/1999	62	ORDER Pretrial Conf set for 10:00 4/21/99 ; Jury trial set for 9:00 5/3/99 filed (by Judge Inge P. Johnson) cm (BST) (Entered: 03/16/1999)
03/19/1999	63	ORDER setting motion for summary judgment [57-1] ; on motion docket at 9:30 4/14/99 filed (by Judge Inge P. Johnson) cm (BST) (Entered: 03/19/1999)
03/19/1999	64	OBJECTIONS by defendant to plaintiff's exhibit list [60-1] filed cs (BST) (Entered: 03/22/1999)
04/14/1999	65	MEMORANDUM opinion filed (by Judge Inge P. Johnson) cm (ASL) (Entered: 04/14/1999)
04/14/1999	66	ORDER in accordance with memorandum opinion granting in part and denying in part motion for summary judgment [57-1] dismissing party Cheryl Rhena Grauel as set out in this order; genuine issues of material fact remain on pla Mumpower's claim for excessive force filed (by Judge Inge P. Johnson) cm (ASL) (Entered: 04/14/1999)
04/22/1999	67	ORDER on pre-trial hearing; jury trial set 9:00 5/3/99 ; PTC held 10:00 4/21/99 and other guidelines as set out in this order filed (by Judge Inge P. Johnson) cm (ASL) (Entered: 04/22/1999)
04/23/1999	68	MOTION by plaintiff Tami G Mumpower, plaintiff Cheryl Rhena Grauel to alter or amend judgment filed cs (ASL) (Entered: 04/23/1999)
04/23/1999	69	68 - ORDER denying motion to alter or amend judgment [68-1] (by Judge Inge P. Johnson) entered cm (BST) (Entered: 04/26/1999)
04/29/1999	70	WITNESS (addendum of final rule 26-A-3) list by plaintiff Tami G Mumpower filed cs (ASL) (Entered: 04/30/1999)

05/03/1999	71	ORDER that the parties informed the Court that they have settled this case to dismiss case without prejudice; further ORDERED to submit a stipulation of dismissal filed (by Judge Inge P. Johnson) cm (SRJ) (Entered: 05/03/1999)
06/15/1999	72	STIPULATION of dismissal by the parties filed w/prej, costs taxed as paid (ASL) (Entered: 06/16/1999)
06/16/1999	73	ORDER granting stipulation [72-1] dismissing case w/prej, costs taxed as paid filed (by Judge Inge P. Johnson) cm (ASL) (Entered: 06/16/1999)

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