

PRISONER_CIVIL_RIGHTS, CLOSED

**U.S. District Court
Eastern District of California – Live System (Fresno)
CIVIL DOCKET FOR CASE #: 1:90-cv-00601-REC -JFM**

(PC) Rodriguez, et al v. Stanislaus County, et al
Assigned to: Senior Judge Robert E. Coyle
Referred to: Magistrate Judge John F. Moulds
Demand: \$0
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 09/26/1990
Date Terminated: 05/04/1992
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Alex Rodriguez

represented by **James F Goodfellow**
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Plaintiff

George Butler

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Plaintiff

Lorraine Fontaine

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V.

Defendant

Stanislaus County

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Defendant

Jim Trevena
as Sheriff

represented by **John Henry Hagar**
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Michael Harold Krausnick
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/26/1990	1	COMPLAINT for Declaratory Relief and Injunctive Relief to Magistrate John F. Moulds Summons issued; fee status pd; Receipt # 130040; Notice re: Consent forms. (old) (Entered: 10/02/1990)
10/02/1990	2	NOTICE of Transfer of action to Sacramento; case referred to Magistrate Moulds; case sent to Staff Attorney. (old) (Entered: 10/02/1990)
10/12/1990	3	NOTICE OF MOTION AND MOTION by plaintiff Alex Rodriquez, plaintiff George Butler, plaintiff Lorraine Fontaine for preliminary injunction set for 11/15/90 @ 9:00 ; points and authorities and declarations in support thereof. (old) Modified on 10/16/1990 (Entered: 10/15/1990)
10/12/1990	4	LODGED proposed preliminary injunction (old) (Entered: 10/15/1990)
10/12/1990	5	PROOF OF SERVICE by plaintiff Alex Rodriquez, plaintiff George Butler, plaintiff Lorraine Fontaine of lodged [4-1], motion for preliminary injunction set for 11/15/90 @ 9:00 [3-1], notice [2-1], complaint [1-1] (old) Modified on 10/16/1990 (Entered: 10/15/1990)
10/15/1990	6	ANSWER by defendant County of Stanislaus, defendant Jim Trevena (old) (Entered: 10/30/1990)
11/01/1990	7	MEMORANDUM by defendant County of Stanislaus, defendant Jim Trevena in opposition to plaintiff's motion for class certification; motion for more definite statement set for 11/15/90 @ 9:00 (old) (Entered: 11/02/1990)
11/01/1990		LODGED proposed order denying class certification. (old) (Entered: 11/02/1990)
11/01/1990	8	OBJECTIONS to Evidence by defendant County of Stanislaus, defendant Jim Trevena to (old) (Entered: 11/02/1990)
11/01/1990	9	MOTION by defendant County of Stanislaus, defendant Jim Trevena to strike portions of plaintiffs' points and authorities set for 11/15/90 @ 9:00. (old) (Entered: 11/02/1990)
11/01/1990		LODGED proposed order granting defendatns' motion to strike. (old) (Entered: 11/02/1990)
11/01/1990	10	APPENDIX OF DECLARATIONS re motion for preliminary injunction set for 11/15/90 @ 9:00 [3-1] (old) (Entered: 11/02/1990)
11/01/1990	11	MEMORANDUM by defendant County of Stanislaus, defendant Jim Trevena in opposition to motion for preliminary injunction set for 11/15/90 @ 9:00 [3-1] (old) (Entered: 11/02/1990)
11/01/1990		LODGED order denying plaintiffs' motion for Preliminary injunction (old) (Entered: 11/02/1990)
11/09/1990	12	SUPPLEMENTAL Exhibits by plaintiff Alex Rodriquez, plaintiff George Butler, plaintiff Lorraine Fontaine (old) (Entered: 11/09/1990)
11/09/1990	13	REPLY by plaintiff Alex Rodriquez, plaintiff George Butler, plaintiff Lorraine Fontaine to response to motion for preliminary injunction set for 11/15/90 @ 9:00 [3-1] (old) (Entered: 11/09/1990)
11/09/1990	14	EXHIBIT list of 1a Jail Roster including inmates sleeping on floor by plaintiff Alex Rodriquez, plaintiff George Butler, plaintiff Lorraine Fontaine (old)

		(Entered: 11/09/1990)
11/13/1990	15	RESPONSE by defendant County of Stanislaus, defendant Jim Trevena to plaintiff's reply to motion to strike set for 11/15/90 @ 9:00 (old) (Entered: 11/13/1990)
11/15/1990	16	DECLARATION of John Hagar re prisoner characteristics in the Mens jail re motion for preliminary injunction set for 11/15/90 @ 9:00 [3-1] (old) (Entered: 11/15/1990)
11/19/1990	17	MINUTES of plaintiff's motion to certify Class, motion submitted; court to prepare order. (old) (Entered: 11/19/1990)
11/21/1990	18	PLAINTIFFS'SUPPLEMENTAL EXHIBIT IN SUPPORT by plaintiff Alex Rodriquez, plaintiff George Butler, plaintiff Lorraine Fontaine re motion for preliminary injunction set for 11/15/90 @ 9:00 [3-1] (old) (Entered: 11/21/1990)
11/28/1990	19	OBJECTIONS by defendant County of Stanislaus, defendant Jim Trevena to supplemental [18-1] made after motion submitted to court. (old) (Entered: 11/28/1990)
11/28/1990		entry 20 was a duplicative entry of [19-1] (old) Modified on 04/01/1993 (Entered: 11/28/1990)
12/13/1990	21	STATUS REPORT by defendant County of Stanislaus, defendant Jim Trevena (old) (Entered: 12/13/1990)
12/17/1990	22	SUPPLEMENT declarations in support by plaintiff Alex Rodriquez, plaintiff George Butler, plaintiff Lorraine Fontaine re motion for preliminary injunction set for 11/15/90 @ 9:00 [3-1] (old) (Entered: 12/17/1990)
12/26/1990	23	NOTICE OF MOTION AND MOTION by plaintiff Alex Rodriquez, plaintiff George Butler, plaintiff Lorraine Fontaine to amend complaint set for 1/31/91 @ 9:00 (old) (Entered: 12/27/1990)
12/26/1990	24	NOTICE by defendant County of Stanislaus, defendant Jim Trevena of non opposition to plaintiffs' motion to amend complaint. (old) (Entered: 12/27/1990)
12/26/1990		LODGED First Amended complaint for declaratory and injunctive relief. (old) (Entered: 12/27/1990)
01/02/1991	25	OBJECTIONS by defendant County of Stanislaus, defendant Jim Trevena to declaration [16-1] after motion was submitted. (old) (Entered: 01/03/1991)
01/04/1991	26	LETTER to court from Mike Hagar regarding the request for status conference on two issues: Medical discovery and Law library. (old) (Entered: 01/08/1991)
01/10/1991	27	ORDER by Magistrate John F. Moulds granting motion to amend complaint set for 1/31/91 @ 9:00 [23-1] (cc: all counsel) (old) (Entered: 01/10/1991)
01/10/1991	28	REPORT AND RECOMMENDATION concerning motion for preliminary injunction set for 11/15/90 @ 9:00 [3-1]; recommending granting class certification, no prisoners will be bedded on the floor pending outcome of action, no beds will be added during action, Sheriff has permission to release prisoners when the prison is 90% full, all other respects to the injunctive relief motion will be denied. (cc: all counsel) (old) (Entered: 01/10/1991)
01/10/1991	29	FIRST AMENDED COMPLAINT for Declaratory and Injunctive Relief [1-1] by plaintiff Alex Rodriquez, plaintiff George Butler, plaintiff Lorraine Fontaine (old) (Entered: 01/10/1991)
01/18/1991	30	OBJECTIONS by defendant Stanislaus County, defendant Jim Trevena to Report and Recommendation [28-1] (old) (Entered: 01/18/1991)
02/01/1991	31	MINUTES of status conference parties to meet and confer. (old) (Entered: 02/04/1991)
02/19/1991	32	TRANSMITTAL of documents recd orig file from Sacto w/ord denying prelim for EDP; forward to EDP (old) (Entered: 02/20/1991)

02/27/1991	33	ORDER by Chief Judge Robert E. Coyle granting REPORT AND RECOMMENDATION [28-1] & objections made by defendants shall be incorporated into courts order. In all other request for preliminary injunction is DENIED(cc: all counsel) (old) (Entered: 02/27/1991)
02/28/1991	34	ORDER by Senior Judge Edward D. Price Case reassigned from EDP to Chief Judge Robert E. Coyle Case now is CVF 90-601-REC-JFM-P (cc: all counsel) (old) (Entered: 02/28/1991)
03/05/1991	35	RECEIPT of case file from Fresno for further consideration (old) (Entered: 03/06/1991)
03/28/1991	36	ORDER Status conference set for Thursday 5/9/91 at 9:00 am before Magistrate John F Moulds (cc: all counsel) (kh) (Entered: 03/28/1991)
04/04/1991	37	MEMORANDUM by plaintiff Alex Rodriquez, plaintiff George Butler, plaintiff Lorraine Fontaine in support class notice. (old) (Entered: 04/04/1991)
05/13/1991	38	MINUTE ORDER by Deputy Clerk: Scheduling conf CONTINUED to 6/6/91 at 9:00 am before JFM (cc: all counsel) (kh) (Entered: 05/13/1991)
06/05/1991	39	SUPPLEMENTAL MEMORANDUM by plaintiff Alex Rodriquez re posting. support (old) (Entered: 06/06/1991)
06/06/1991	40	MINUTES of status conference: Case to be set for settlement conference. (old) (Entered: 06/07/1991)
06/18/1991		LODGED Notice of class action. (old) (Entered: 06/24/1991)
08/13/1991	41	NOTICE by plaintiff Alex Rodriquez, plaintiff George Butler, plaintiff Lorraine Fontaine of change of address of change of address for Paul Comiskey to 2310 J Street P.O. BOX 1019 Sacramento ca 95814 (old) (Entered: 08/13/1991)
10/15/1991	42	ORDER by Magistrate John F. Moulds ; Settlement conference set for 12/4/91 @ 2:30 before GGH (cc: all counsel) (old) (Entered: 10/15/1991)
11/15/1991	43	ORDER by Magistrate John F. Moulds; settlement conference is set for 12/4/91 @ 2:30 before GGH; if the case settles, parties are directed to inform chambers ; Scheduling conf set for 12/4/91 @ 4:00 (cc: all counsel) (old) (Entered: 11/15/1991)
12/03/1991	44	NOTICE by plaintiff Lorraine Fontaine, plaintiff George Butler, plaintiff Alex Rodriquez of association of attorney James F Goodfellow (old) (Entered: 12/03/1991)
12/04/1991		LODGED Stipulation for continuance of settlement conference and status conference to 2/5/92; proposed order thereon (old) Modified on 12/06/1991 (Entered: 12/04/1991)
12/06/1991	45	STIPULATION and ORDER by Magistrate Gregory G. Hollows: granting lodged Stipulation of 12/4/91 Scheduling conf continued to 2/5/92 at 4:30 before JFM; Settlement conference continued to 2/5/92 at 2:30 before GGH (cc: all counsel) (old) (Entered: 12/06/1991)
04/27/1992		MAIL to Fresno Office: original case file in 2 volumes, docket sheet, transmittal letter and stipulation (old) (Entered: 04/27/1992)
04/29/1992	46	TRANSMITTAL of documents recd orig file (2vols) from Sacto, forwarded to Judge Wanger ofc per note from Sacto (old) (Entered: 04/29/1992)
05/04/1992	47	Order Re: Stipulated CONSENT JUDGMENT by Judge Wanger terminating case (cc: all counsel) (old) (Entered: 05/05/1992)
05/07/1992	48	ORDER by Magistrate John F Moulds ORDERING: defendants are directed to pay plaintiffs attorneys' fees in the agreed sum (cc: all counsel) (old) (Entered: 05/07/1992)
07/20/1992	49	LETTER to court from John Hagar RE: procedure for class approval of settlement (old) (Entered: 07/21/1992)

11/12/1992		LODGED NOTICE of settlement of class action to Magistrate John F Moulds (old) (Entered: 11/12/1992)
03/11/1993		MAIL to Sacramento Office case file in 2 vol to the attn: of Tim. Also certified copy of the docket sheet (lm) (Entered: 03/11/1993)
03/15/1993		MAIL from Fresno Office CONSISTING of transmittal letter, docket sheet, case file in 2 volumes (docs 1-48) attn: Haven (old) (Entered: 03/15/1993)
04/01/1993		MAIL to Fresno Office CONSISTING of transmittal letter, docket sheet, case file in 2 volumes (docs 1-49) and proposed DISPOSITIONAL order for Judge Oliver Wanger (old) (Entered: 04/01/1993)
04/08/1993		MAIL from Sacramento Office: original case file (2 vols, doc's 1 - 49) and forwarded to chambers (old) (Entered: 04/09/1993)
04/08/1993		MAIL from Sacramento Office: original case file (3 vols, doc's 1-118) and forwarded to chambers (old) (Entered: 04/09/1993)
04/19/1993	50	ORDER by Judge Wanger: 10 days defendant shall post judgment in accordance with section VII of order filed 5/4/92. Within 30 days written objections may be file. If no objections judgment will become final. Case mgmt ddl 5/24/93, no objections to 50 , judgment becomes final (cc: all counsel) (old) (Entered: 04/19/1993)
04/19/1993		MAIL to Sacramento Office: returned to Sacramento (2 vols, doc's 1 - 50) (old) (Entered: 04/19/1993)
04/21/1993		MAIL from Fresno Office RECEIVED consisting of transmittal letter, docket sheet and case file in 2 volumes (docs 1-50) returned as defendants are to file judgment within 10 days; objections after 30 days and then final judgment (old) (Entered: 04/21/1993)
08/12/1993	51	NOTICE of Completion of posting period by defendant Stanislaus County and deft Sheriff Les Weidman (old) (Entered: 08/13/1993)
04/21/1994		MAIL from Sacramento Office; volumes 1 and 2 to Fresno file room (old) (Entered: 04/21/1994)
04/18/2008	<u>52</u>	MOTION Seeking Enforcement of Settlement Agreement, (filed by non-party filer: Alvis Vernon Rhodes). (Martin, S) (Entered: 05/13/2008)
05/16/2008	<u>53</u>	ORDER Disregarding <u>52</u> Motion for Enforcement of Settlement Agreement; ORDER Directing Clerk's Office to Send Rhodes a Civil Rights Complaint Form, and Serve a Copy of This Order on Rhodes signed by Judge Oliver W. Wanger on 5/15/08. (Attachments: # <u>1</u> Complaint Form and Instructions) (Verduzco, M) (Entered: 05/16/2008)
05/16/2008		SERVICE BY MAIL: <u>53</u> Order served on Paul Wayne Comiskey, James F Goodfellow, Richard P Herman, Michael Harold Krausnick, Dan Lewis Stormer, and Alvis Rhodes. (Verduzco, M) (Entered: 05/16/2008)
06/18/2008	54	MAIL RETURNED as Undeliverable <u>53</u> Order on Motion for Miscellaneous Relief. Mail sent to Richard P Herman; envelope reads "wrong address". (Esteves, C) (Entered: 06/19/2008)