

CLOSED

**U.S. District Court
Northern District of Georgia (Atlanta)
CIVIL DOCKET FOR CASE #: 1:91-cv-02908-ODE**

Rhodes, et al v. Seay, et al
Assigned to: Judge Orinda D. Evans
Demand: \$0
Cause: 42:1983 Civil Rights Act

Date Filed: 11/25/1991
Date Terminated: 01/19/1993
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

John Rhodes

represented by **M. Linda Mabry**
Mabry & Steele
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614 Fulton Federal Building
Macon, GA 31201
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TERMINATED: 04/18/2007
LEAD ATTORNEY

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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Keith Richard Sills

represented by **M. Linda Mabry**
(See above for address)
TERMINATED: 04/18/2007
LEAD ATTORNEY

Ralph S. Goldberg
(See above for address)
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Plaintiff

Veronica Summerfield

represented by **M. Linda Mabry**
(See above for address)

TERMINATED: 04/18/2007
LEAD ATTORNEY

Ralph S. Goldberg
(See above for address)
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Plaintiff

Frank Summerfield

represented by **M. Linda Mabry**
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Plaintiff

Diane Carter

represented by **M. Linda Mabry**
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TERMINATED: 04/18/2007
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Ralph S. Goldberg
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Plaintiff

Chris James Turner

represented by **M. Linda Mabry**
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TERMINATED: 04/18/2007
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Plaintiff

Luci Turner

represented by **M. Linda Mabry**
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TERMINATED: 04/18/2007
LEAD ATTORNEY

Ralph S. Goldberg
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Plaintiff

Ricky L. Johnson

represented by **M. Linda Mabry**
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TERMINATED: 04/18/2007
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Ralph S. Goldberg
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Eddie Asano
and

represented by **M. Linda Mabry**
(See above for address)
TERMINATED: 04/18/2007
LEAD ATTORNEY

Ralph S. Goldberg
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Wesley Mclain
individually and on behalf of themselves
and all others similarly situated

represented by **M. Linda Mabry**
(See above for address)
TERMINATED: 04/18/2007
LEAD ATTORNEY

Ralph S. Goldberg
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

John Seay
individually and in his official capacity as
Sheriff of Cherokee County, Georgia and
TERMINATED: 05/03/2007

represented by **Dana Kristin Maine**
Freeman Mathis & Gary
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LEAD ATTORNEY
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Robert Mark Mahler
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 770-479-0448
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Cherokee County

represented by **Dana Kristin Maine**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michelle J. Hirsch
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Mark Mahler
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Roger Garrison
*in his official capacity as Sheriff of
 Cherokee County, Georgia*

represented by **Dana Kristin Maine**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michelle J. Hirsch
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/25/1991	1	COMPLAINT filed. Summons issued. Consent form to proceed before U.S. magistrate and pretrial instructions given to attorney. FILING FEE \$ 120.00

		RECEIPT # 168532. (jps) (Entered: 11/29/1991)
11/25/1991	2	MOTION by plaintiffs to certify class action with brief support. (jps) Modified on 11/29/1991 (Entered: 11/29/1991)
12/17/1991		SUBMITTED on motion to certify class action by plaintiff [2-1] to Judge Orinda D. Evans . (dt) (Entered: 12/17/1991)
12/30/1991	3	Stipulation approved by dep. clerk extending time to answer complaint [1-1] thru 1/9/92. cc (dt) (Entered: 12/31/1991)
01/08/1992	4	ANSWER to complaint [1-1] by John Seay, Cherokee County . (dt) (Entered: 01/09/1992)
05/07/1992	5	ORDER DENYING w/out prejudice the motion to certify class action by plaintiff [2-1] by Judge Orinda D. Evans. cc (dt) (Entered: 05/08/1992)
05/15/1992	6	Joint MOTION by parties to extend time for disc. thru 8/28/92 with proposed order. to ODE (dt) (Entered: 05/18/1992)
05/20/1992	7	ORDER by ct dep. by direction of the court GRANTING joint motion to extend time for disc. thru 8/28/92 [6-1] Discovery ends 8/28/92. cc (dt) (Entered: 05/21/1992)
06/09/1992	8	MOTION by plaintiffs for reconsideration of order [5-1] with brief in support. (dt) Modified on 06/11/1992 (Entered: 06/11/1992)
06/30/1992		SUBMITTED on motion for reconsideration of order [5-1] by John Rhodes [8-1] to Judge Orinda D. Evans . (dt) (Entered: 06/30/1992)
09/25/1992		HEARING HELD before Judge Orinda D. Evans re: Settlement agreement. S. Seay to consider agreement for 1 week and advise court as to status by 10/2/92 . (dt) (Entered: 09/29/1992)
10/02/1992	9	Response by defendant John Seay to settlement agreement discussed at hearing 9/25/92. (dt) (Entered: 10/07/1992)
10/28/1992		Conference on settlement agreement. Parties directed to update the settlement agreement and the conference will be cont. to 11/6/92 at 4:30 P.M. by Judge Evans. (dt) (Entered: 11/04/1992)
10/29/1992	10	LETTER by defendant John Seay to judge. (dt) (Entered: 11/04/1992)
11/09/1992		Steno notes of proceedings held 9/25/92 before Judge Orinda D. Evans , by Court Reporter Patti Allen. (dt) (Entered: 11/09/1992)
11/09/1992		Settlement conference continues. (dt) (Entered: 11/13/1992)
12/07/1992	11	CONSENT ORDER approved by Judge Orinda D. Evans that dfts shall comply with the requirements contained in this order in regards to housing of prisoner. See same for info. Winthin 10 days parties shall attempt to agree on costs and atty fees. If agreement not reached, pltf's directed to submit evidence by affidavit on issue of atty fees and costs w/in 10 days. Dfts shall have 10 days to respond. Clerk directed to resubmit action in 20 days. cc (dt) (Entered: 12/09/1992)
12/15/1992	12	ORDER dismissing as moot the motion for reconsideration of order [5-1] [8-1]

		by John Rhodes as action has been settled by Judge Orinda D. Evans. cc (dt) (Entered: 12/17/1992)
01/11/1993		SUBMITTED on consent order [11-1] to Judge Orinda D. Evans . (dt) (Entered: 01/11/1993)
01/19/1993		Steno notes of proceedings held 10/28/92 before Judge Orinda D. Evans , by Court Reporter P. Allen. (dt) (Entered: 01/19/1993)
01/19/1993	13	ORDER that clerk administratively and statistically terminate the action as it appears all issued have been resolved as no further evidence as to atty fees or costs has been filed as instructed in 12/7/92 order by Judge Orinda D. Evans. cc (dt) (Entered: 01/21/1993)
06/16/1993		Steno notes of proceedings held 11/19/92 before Judge Orinda D. Evans, by Court Reporter PATTI ALLEN. (bj) (Entered: 06/16/1993)
02/22/2007	14	NOTICE of Appearance by Michelle J. Hirsch on behalf of John Seay, Cherokee County (Hirsch, Michelle) (Entered: 02/22/2007)
02/22/2007	15	NOTICE of Appearance by Dana Kristin Maine on behalf of John Seay, Cherokee County (Maine, Dana) (Entered: 02/22/2007)
02/22/2007	16	MOTION to Substitute Party <i>Roger Garrison in his official capacity</i> for John Seay in his official capacity with Brief In Support by John Seay, Cherokee County. (Attachments: # 1 Text of Proposed Order)(Hirsch, Michelle) (Entered: 02/22/2007)
02/22/2007	17	MOTION for Relief <i>To Terminate Consent Order</i> with Brief In Support by John Seay, Cherokee County. (Attachments: # 1 Brief # 2 Affidavit of Sheriff Roger Garrison# 3 Exhibit A to Affidavit of Sheriff Roger Garrison# 4 Exhibit B to Affidavit of Sheriff Roger Garrison# 5 Exhibit C to Affidavit of Sheriff Roger Garrison)(Hirsch, Michelle) (Entered: 02/22/2007)
03/06/2007	18	RESPONSE in Opposition re 17 MOTION for Relief <i>To Terminate Consent Order</i> filed by Wesley Mclain, John Rhodes, Keith Richard Sills, Veronica Summerfield, Frank Summerfield, Diane Carter, Chris James Turner, Luci Turner, Ricky L. Johnson, Eddie Asano. (Goldberg, Ralph) (Entered: 03/06/2007)
03/13/2007	19	NOTICE of Hearing on Motion re: 17 MOTION for Relief <i>To Terminate Consent Order</i> Motion Hearing set for 3/26/2007 04:00 PM in Courtroom 1908 before Judge Orinda D. Evans. (vh) (Entered: 03/13/2007)
03/19/2007	20	CERTIFICATE OF SERVICE <i>for Plaintiffs' Request for Production of Documents and Inspection of the Cherokee County Jail Facilities</i> by Wesley Mclain, John Rhodes, Keith Richard Sills, Veronica Summerfield, Frank Summerfield, Diane Carter, Chris James Turner, Luci Turner, Ricky L. Johnson, Eddie Asano.(Goldberg, Ralph) (Entered: 03/19/2007)
03/23/2007	21	REPLY BRIEF re 17 MOTION for Relief <i>To Terminate Consent Order</i> filed by John Seay, Cherokee County. (Hirsch, Michelle) (Entered: 03/23/2007)
04/16/2007	22	MOTION to Withdraw Attorney M. Linda Mabry by Wesley Mclain, John

		Rhodes, Keith Richard Sills, Veronica Summerfield, Frank Summerfield, Diane Carter, Chris James Turner, Luci Turner, Ricky L. Johnson, Eddie Asano. (Goldberg, Ralph) Modified on 4/17/2007 to correct event type and docket text (fmm). (Entered: 04/16/2007)
04/18/2007	23	ORDER granting 22 Motion to Withdraw as Attorney. Attorney M. Linda Mabry terminated. Signed by Judge Orinda D. Evans on 4/17/07. (fmm) (Entered: 04/19/2007)
04/19/2007		Submission of 17 MOTION for Relief <i>To Terminate Consent Order</i> , 16 MOTION to Substitute Party <i>Roger Garrison in his official capacity for John Seay in his official capacity</i> , submitted to District Judge Orinda D. Evans. (fmm) (Entered: 04/19/2007)
05/03/2007	24	ORDER granting 16 Motion to Substitute Party. Roger Garrison substituted for John Seay; deferring ruling on 17 Motion to Terminate Consent Order. The [11] Consent Order is stayed pending a final order ruling on the motion to terminate. Plaintiffs are directed to file w/in 10 days a brief as outlined in the order; defendants are directed to file a response to the brief 10 days thereafter. Signed by Judge Orinda D. Evans on 5/3/07. (fmm) (Entered: 05/07/2007)
05/24/2007	25	MOTION for Extension of Time to File a Response to Court's Order re: 24 Order on Motion to Substitute Party, Order on Motion for Relief from Order/Judgment,, by Wesley Mclain, John Rhodes, Keith Richard Sills, Veronica Summerfield, Frank Summerfield, Diane Carter, Chris James Turner, Luci Turner, Ricky L. Johnson, Eddie Asano. (Attachments: # 1 Text of Proposed Order)(Goldberg, Ralph) (Entered: 05/24/2007)
05/25/2007	26	ORDER GRANTING 25 Motion for Extension of Time to File a Response to Court's Order. Signed by Judge Orinda D. Evans on 5/24/07. (vh) (Entered: 05/25/2007)
05/31/2007	27	RESPONSE re 24 Order on Motion to Substitute Party, Order on Motion for Relief from Order/Judgment,, filed by Wesley Mclain, John Rhodes, Keith Richard Sills, Veronica Summerfield, Frank Summerfield, Diane Carter, Chris James Turner, Luci Turner, Ricky L. Johnson, Eddie Asano. (Attachments: # 1 Exhibit)(Goldberg, Ralph) (Entered: 05/31/2007)
06/18/2007	28	RESPONSE re 24 Order on Motion to Substitute Party, Order on Motion for Relief from Order/Judgment,, filed by Cherokee County, Roger Garrison. (Attachments: # 1 Exhibit A)(Hirsch, Michelle) (Entered: 06/18/2007)
06/18/2007		Submission of 24 Order, submitted to District Judge Orinda D. Evans. (fmm) (Entered: 06/18/2007)
06/27/2007	29	RESPONSE re 28 Response (Non-Motion) - <i>REPLY</i> filed by Wesley Mclain, John Rhodes, Keith Richard Sills, Veronica Summerfield, Frank Summerfield, Diane Carter, Chris James Turner, Luci Turner, Ricky L. Johnson, Eddie Asano. (Goldberg, Ralph) (Entered: 06/27/2007)
07/02/2007	30	ORDER granting 17 Motion to Terminate Consent Order. Signed by Judge Orinda D. Evans on 7/2/07. (fmm) (Entered: 07/02/2007)
07/19/2007	31	Request for Leave of Absence for the following date(s): 8/13/07-8/17/07,

		9/20/07-9/21/07, & 12/20/07-12/27/07, by Dana Kristin Maine. (clk) (Entered: 07/20/2007)
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