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PLAINTIFFS

DEFENDANTS

BULLINGTON, ROBERT ERNEST
 TONEY, STEVEN L.
 REYNOLDS, GLEN
 CLARK, MICHAEL,
 (added by Order 10/5/79)
 and on behalf of all other pretrial
 detainees in the St. Louis County
 Jail similarly situated...

WARDEN MORELAND
 ASSOCIATE WARDEN BREEDING ^{OFF 10/5}
 OFFICER AARON MENSEY ^{OFF 10/5}
 McNARY, GENE
 (added by Order 10/5/79)

CLOSED

76-210C(2) CONSOLIDATED WITH #79-650C(2)
CONSOLIDATED WITH 82-223C(2)



NON-JURY

CAUSE

PRISONER PETITION - VIOLATION OF CIVIL RIGHTS -- ALLEGED CLASS ACTION (10/5/79)

ATTORNEYS

Pro Se
 Box 11417
 Clayton, Mo. 63105

James L. Thomas
 506 Olive Street
 Suite 605
 St. Louis, Mo. 63101
 [Appt. 6/5/79]

421-6544

James L. Thomas (3/6/80)
 906 Olive Street #605- 225 S. Meramec
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 727-7289

MICHAEL SCHUMAR
 Thomas W. Wehrle
 St. Louis County Counselor
 Donald J. Weyerich,
 Special Asst. County Counselor
 41 North Central ^{11 S. Central}
 Clayton, Mo. 63105
 889-2042

John P. Emde (Appt. co-counsel 9/18/80)
 611 Olive Street #1950
 St. Louis, Missouri 63101
 621-5070

RECORD GRP NO..... ACCESSION
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			JS-6	

DATE	NH.	PROCEEDINGS
T 0/79		<p>MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS; PETITION FOR TEMPORARY INJUNCTION; BRIEF IN SUPPORT OF PETITION; & SUPPL. BREIF IN SUPPORT OF PETITION</p> <p>-Fld. by Petitioner, Leave to File in Forma Pauperis, GRANTED ELF. Summons Issd. return 20 Days.</p>
6/5/79		<p><u>O R D E R</u></p> <p>-Fld. Ordered that James L. Thomas Atty. be & is appointed to represent plff. Further ordered that Clerk of Court provide atty. with copy of file. cc: Petitioner & Appointed Atty.</p>
6/8/79		<p>MARSHAL'S RETURN OF SERVICE</p> <p>-Fld. Summons executed on Officer Aaron Mensey; Warden Moreland; & ASSOC. Warden Breeding, 6/7/79.</p>
T 7/6/79		<p>THOMAS W. WEHRLE & DONALD J. WEYERICH ENTER THEIR APPEARANCE AS COUNSEL FOR DEFTS. REQUEST FOR ADDL. 20 DAYS TO & INCL. <u>JULY 23, 1979 TO FILE RESPONSIVE PLEADINGS OR APPROPRIATE MTNS.</u></p> <p>-Fld. Memo for Clerk, by Defts. <u>SO ORDERED</u>, ELF cc: Appt. Atty.</p>
7/23/79		<p>MOTION TO DISMISS</p> <p>-Fld. by Defts.</p>
8/3/79		<p>RESPONDENT'S MOTION TO DISMISS FLD. 7/23/79 & ENTIRE FILE SUBMITTED TO JUDGE FILIPPINE</p>
8/21/79		<p>REQUEST FOR EXTENSION OF TIME TO & INCL. <u>AUGUST 31, 1979 TO RESPOND TO DEFTS. MOTION TO DISMISS</u></p> <p>-Memo for Clerk, Fld. by Plff. <u>SO ORDERED</u>, ELF</p>
8/27/79		<p><u>ORDER OF COURT RELATING TO TRIAL NON-JURY TRIAL SET FOR TUESDAY, NOVEMBER 13, 1979 AT 9:30 AM</u></p> <p>-Fld. cc: Attys</p>
9/4/79		<p>MOTION FOR JOINDER OF PARTIES; MOTION FOR INTERVENTION; PROPOSED AMENDED COMPLAINT FOR DECLARATORY JUDGMENT, INJUNCTIVE RELIEF & OTHER APPROPRIATE RELIEF (Lodged) W/ATTACHED LETTERS</p> <p>-Fld. by Petitioner</p>
T 9/13/79		<p>PETITIONER'S MOTIONS FLD. 9/4/79 & RESPONDENT'S MOTION FLD. 7/23/79 & ENTIRE FILE SUBMITTED TO JUDGE FILIPPINE</p>

CIVIL DOCKET CONTINUATION SHEET

FPI-MAR-2-14-79-50M-1534

PLAINTIFF BULLINGTON	DEFENDANT MORELAND, et al	79-650-C(3) DOCKET NO. <i>(initials)</i> PAGE <u>3</u> OF <u> </u> PAGES
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DATE	NR.	PROCEEDINGS	
10/5/79		<u>O R D E R</u> (ELF)	-Fld. ORDERED that motion of Steven L. Toney, Glen Reynolds & Michael Clark to intervene is <u>GRANTED</u> - cc: Attys
10/5/79		<u>O R D E R</u> (ELF)	-Fld. ORDERED that motion for joinder be <u>DENIED AS MOOT</u> . cc: Attys-Further Ordered that motion for joinder of Gene McNary as deft. be & is <u>GRANTED</u> .
10/5/79		<u>O R D E R</u> (ELF)	-Fld. ORDERED that the defts' motion to dismiss plffs' complaint be & is <u>DENIED AS MOOT</u> - cc: Attys.
10/5/79		<u>AMENDED COMPLAINT FOR DECLARATORY JUDGMENT, INJUNCTIVE RELIEF, AND OTHER APPROPRIATE RELIEF (CLASS ACTION)</u>	-Fld. by Plffs.
10/25/79		COMES THOMAS W. WEHRLE & DONALD J. WEYERICH, ENTER THEIR APPEARANCE AS COUNSEL FOR DEFT. GENE McNARY AND ALL DEFTS. <u>GRANTED TO & INCL. OCTOBER 30, 1979 TO FILE RESPONSIVE PLEADINGS</u> , ELF	-Memo for Clerk, Fld. by Defts. cc: Plff's Atty.
10/30/79		DEFTS' MOTION TO DISMISS AMENDED COMPLAINT W/BRIEF IN SUPPORT THERE-OF	_Fld.
11/8/79		MOTION TO VACATE TRIAL SETTING OF NOV. 13, 1979 BY PLFF'S IS <u>GRANTED & HEREBY ORDERED THAT TRIAL SETTING BE & IS VACATED</u> , ELF	-Motion Fld. in informal matters, attys notified.
11/13/79		DEFTS' MOTION FLD. 10/30/79 SUBMITTED TO JUDGE FILIPPINE	
11/15/79		<u>ORDER OF COURT RELATING TO TRIAL: NON-JURY CASE SET FOR TRIAL MONDAY, JANUARY 21, 1980 AT 9:30 AM</u>	-Fld. cc: Attys
11/19/79		PLFF'S RESPONSE TO DEFTS' MOTION TO DISMISS COMPLAINT	-Fld.
11/19/79		PLFF'S VERIFIED MOTION FOR COURT TO APPT. A STENOGRAPHIC REPORTER	
11/19/79		PLFF'S INTERROGS TO DEFTS (6); PLFF'S REQUEST FOR PRODUCTION OF DOCUMENTS	-Fld.

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF BULLINGTON	DEFENDANT MORELAND, et al	79-650-C(3) (3) DOCKET NO. PAGE <u>4</u> OF <u> </u> PAGES
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DATE	NR.	PROCEEDINGS
11/21/79		PLFF'S MOTION FLD. 11/19/79 SUBMITTED TO JUDGE FILIPPINE
12/04/79		PLFF'S VERIFIED MOTION FOR THE COURT TO APPT. A STENOTYPE REPORTER, <u>DENIED</u> , ELF -Fld. cc: Attys
1/7/80		<u>O R D E R</u> (ELF) -Fld. Re: Plff's Class Action Allegation. ORDERED this matter be set for a hearing before U.S. Magistrate Noce at 10:00 a.m. <u>1/9/80</u> room 724. cc: Attys
1/9/80		DEFTS' RESPONSE TO PLFFS' INTERROGS. -Fld. by leave, DDN
1/10/80		REPORT & RECOMMENDATION OF U.S. MAGISTRATE -Fld. cc: Parties
1/10/80		STIPULATION OF FACT BY PARTIES -Fld. subject to oral modification made on record ,on 1/9/80 (DDN)
1/11/80		<u>O R D E R</u> (ELF) -Fld. ORDERED that the time for compliance for all parties with Order of Court Relating to Trial is extended until <u>1/16/80</u> . cc: Parties
1/14/80		<u>O R D E R</u> (ELF) -Fld. ORDERED that cause be & is <u>TRANSFERRED</u> to John F. Nangle. <u>FURTHER ORDERED</u> trial setting of 1/21/80 be & is VACATED. cc: Parties
1/24/80		REPORT AND RECOMMENDATION OF U. S. MAGISTRATE AND ENTIRE FILE SUBMITTED TO JUDGE NANGLE.
2/4/80		LETTER TO JUDGE NANGLE DATED JANUARY 21, 1980, FROM ALFRED FRANCO -Fld.
2/21/80		ORDER (JFN) -Fld. Ordered action maintained as class action on behalf of class of plffs as described: all persons detained or will be detained at St. Louis County Jail awaiting trial on alleged offenses against State of Missouri; further ordered plffs submit within 15 days of this date proposed notice to be posted along with copy of complaint in conspicuous places in SL County Jail during pendency of this litigation. cc: attys.

CIVIL DOCKET CONTINUATION SHEET

FPI-MAR

PLAINTIFF		DEFENDANT		79-650C (2) (1) DOCKET NO.
BULLINGTON, ROBERT E., ET AL.		MORELAND, WARDEN, ET AL.		PAGE 5 OF _____ PAGES
DATE	NR.	PROCEEDINGS		
2/21/80		ORDER (JFN)	-Fld. Ordered defts' motion dismiss due to res judicata denied; defts' motion dismiss failure state cause denied for failure comply Rule 7(B), Local Rules. cc: attys.	
2/21/80		ORDER (JFN)	-Fld. Ordered further motions addressed to complaint shall not be filed until steps set forth in this order taken and completed; defts. directed undertake a review of subject matter of complaint, ascertain facts/circumstances; consider whether any action can and should be taken by institution or other appropriate officials resolve subject matter of complaint; in conduct of review, written report shall be compiled and filed with Court. Authorization granted to interview all witnesses including plffs and appropriate officers of institution; reports made in course of review shall be attached to and filed with defts' answer to complaint; answer shall restate in separate paragraphs allegations of complaint, each restated paragraph shall be followed by defts' answers thereto; answer to complaint including report shall be filed no later than 30 days from date hereof. cc: attys.	
2/21/80		COPY OF LETTER DATED FEBRUARY 19, 1980, ADDRESSED TO EDWARD MORELAND FROM ROBERT E. BULLINGTON REQUESTING DISCIPLINARY HEARING	-Fld. by petitioner Bullington	
2/22/80		LETTER TO JUDGE NANGLE DATED FEBRUARY 19, 1980, FROM LARRY D. MILLER	-Fld.	
3/6/80		CHANGE BUSINESS ADDRESS	fld. by plffs' counsel.	
3/6/80		PROPOSED NOTICE	fld. by plffs.	
3/24/80		EXTENSION thru 3/28/80 file answer	fld. by defts. Granted. JFN.	
3/28/80		<u>ANSWER amended complaint for declaratory judgment</u> , injunctive relief and other appropriate relief w/3 volumes of attachments	fld. by defts. Moreland and McNary.	
3/28/80		INSERTS to answers to interrogatories	fld. by defts. Moreland and McNary (Marked: Inserts 1,2,3,4,5,6,7,8,9,10,11,12 and "Clothing & Linen Changes" (5 vols.).	

CIVIL DOCKET CONTINUATION SHEET

FPI-MAR

PLAINTIFF BULLINGTON, ROBERT E., ET AL.	DEFENDANT MORELAND, WARDEN, ET AL.	79-650C(2)(1) DOCKET NO. PAGE 6 OF _____ PAGES
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DATE 1980	NR.	PROCEEDINGS
3/28/80		ATTACHMENT to response to interrogatories filed 1/9/80 by defts.fld.
4/3/80		LETTER TO JUDGE FILIPPINE dated 4/1/80 from William Henry Eggers w/ letter to Magistrate Bahn from Judge Nangle 4/3/80 fld.
4/23/80		REPORT of Investigation of Bullington complaint addressed to Judge Filippine on 4/1/80 fld.by Magistrate Bahn. Ordered Sealed. JFN. Placed in Clerk's Vault.
(*) 7/29/80		MOTION for summary judgment W/affidavit of Edward Moreland in support thereof, fld. by defts'. (Ref. 9/18/80)
(*) 7/25/80		CONFERENCE set for 9/29/80, 9:30 AM fld. Attys notified by Court.
--		8/12/80 - Defts' motion for summary judgment w/affidavit file 7/29/80 and entire file submitted Judge Nangle.
9/18/80		ORDER & MEMORANDUM (JFN) fld. Defts' motion summary judgment denied; case consolidated with Johnson, etal v. O'Brien, etal, #76-210C(2) which shall be reopened to determine defts' compliance with orders therein; John Emde, 611 Olive St., St. Louis, MO 63101 appointed plffs' co-counsel; Clerk of Court provide Mr. Emde with complete copy of file; case referred to Magistrate William S. Bahn. Copy of file mailed Mr. Emde 9/18/80.
10/6/80		LETTER to Judge Meredith fld. by Calvin Payne. REPLY thereto fld.
10/27/80		LETTER to Judge Nangle, 10/21/80 fld. by George L. Vernor and Eddie L. Evans.
11/26/80		LETTER to Judge Nangle, 11/21/80 fld. by Robert E. Bullington, Roosevelt Wilder, Jr., Eddie J.Cornell, McCray Johnson, William Henry Eggers and Ted R. Sanders, Jr.
12/5/80		ORDER (WSB) fld. Pretrial conference set for 12/11/80, 11:00AM. Parties notified by Magistrate.
12/11/80		ORDER (WSB) fld. John Emde submit list re conditions, etc., said list be filed with Court by 12/31/80; Donald Weyerich submit list re actions taken by defts, etc., said outline filed with Court by 12/31/80; James Thomas submit list re complaints and allegations of plffs, etc., said outline filed with Court by 12/31/80; Court and plffs' attys of record make visual inspection of St. Louis County Jail facilities at time agreed upon; hearing on consolidated cases of Bullington v. Moreland and Ronnie Johnson v. William O'Brien set for 1/15/81, 10:00 AM fld. cc: attys.
1/29/80		COMPLIANCE with order of Court of 12/11/80 fld. by John P. Emde. Referred to Magistrate Bahn.
1981		
1/2/81		COMPLIANCE with order of Court of 12/11/80 fld. by James L. Thomas. Leave to file granted. JFN. Referred to Magistrate Bahn.

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF B BULLINGTON, ROBERT ERNEST, ET AL	DEFENDANT MORELAND, WARDEN, ET AL	79-650C (2) (1) DOCKET NO. PAGE 7 OF _____ PAGES
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DATE 1981	NR.	PROCEEDINGS
1/13/81		ORDER (WSB) fld. <u>Hearing set for 1/15/81, 10AM cancelled until further notice.</u> cc: attys.
3/4/81		ORDER (WSB) fld. <u>Hearing set for 3/12/81, 10AM fld.</u> cc: attys.
3/11/81		RETURN to Writ Habeas Corpus by serving Edward Moreland 3/10/81 fld. (Robert Bullington, John Sisler, Ricky Rich-3/12/81)
3/18/81		ORDER (WSB) fld. Hearing to be resumed 3/27/81, 10:00AM fld. cc: attys.
3/27/81		RETURN to writ of habeas corpus (Baviosa Brown, Robert Bullington, John Sisler, Rob Gonella and Ronald Stergion) executed on Edward Moreland 3/26/81 fld.
6/26/81		<u>PRE-TRIAL CONFERENCE held (1 hr.)</u>
7/24/81		MAGISTRATE'S Review/Recommendation (WSB) fld., parties have 10 days to file objections.
***** 8/8/81		EXTENSION of time granted to all parties to 8/24/81 to respond to Mag's Review and Recommendation. GRANTED (JFN).
8/21/81 8/24/81		OBJECTIONS to review/recommendation fld. by defts. RESPONSE to review/recommendation fld. by pltffs. 8/25/81 - Review/Recommendation of Magistrate Bahn fld. 7/24/81 and entire file submitted to Judge Nangle.
12/10/81		ORDER (JFN) lfd. It is hereby ordered that this case be referred to Magistrate Bahn for reconsideration of his Report/Recommendation, in light of pre-trial release program. It is further ordered that it is within the Magistrate's discretion to order any additional factual data or legal citation that he deems necessary in his consideration of this record. cc: attys. File delivered to Magistrate Bahn.
3/31/82		MEMORANDUM of Magistrate Bahn dated 3/31/82 w/attached letter from Judge James Ruddy fld. and delivered to Judge Nangle.
5/27/82		CAUSE 82-223C(2) - ORDER (WLH) fld., Instant case involves issues/factual allegations common to 76-210C(2), 79-650C(2); ordered instant case be consolidated with above cases. cc: attys.
6/8/82		CHANGE of Address fld. by atty. James L. Thomas.
7/7/82 7/25/81		CONFERENCE (1 hour) held. Ordered that action on Mag. Bahn Report and Recom. of 7/24/81 be deferred pending voluntary compliance of the parties.

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF ROBERT ERNEST BULLINGTON, et al.	DEFENDANT WARDEN MORELAND, et al.	DOCKET NO. 79-650C(1) PAGE 8 OF PAGES
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DATE	NR.	PROCEEDINGS
6/21/83		MAGISTRATE'S MEMORANDUM (WSB), fld. 76-210C(1), 79-650C(1).
6/22/83		STIPULATION, fld by parties. 76-210C(1), 79-650C(1), 82-223C(1).
6/22/83		ORDER (JFN), fld. DEFT. Moreland shall post this order and the attached stipulation and Memorandum in a conspicuous place in the St. Louis Co. Jail. Any party may file written objections to these proposed settlements with Mag. Bahn within ten days. cc: all parties. 76-210C(1), 79-650C(1).
6/22/83		MAGISTRATE'S RECOMMENDATION (WSB), fld. 82-223C(1).
6/30/83		RESPONSE to Order fld 6/22/83, fld by Joe Survillo (St. Louis Co. Jail)
		7/18/83 Response fld 6/30/83, Stipulation fld 6/22/83 and Order 6/22/83 and entire file submitted to U.S. Magistrate William S. Bahn, (ref: 76-210C(1), 79-650C(1))
		7/18/83 Magistrate's recommendation fld 6/22/83 and entire file submitted to Judge Nangle. (ref: 82-223C(1))
12/83		ATTYS PRESENT FOR CONFERENCE - HELD 40 MINUTES
8/12/83		AFFIDAVIT - Of Edward Moreland, fld
8/12/83		STIPULATION OF THE PARTIES - Fld.
8/30/83		ORDER & MEMORANDUM - HEREBY ORDERED the Stipulation of the Parties be and is accepted. FURTHER ORDERED, ADJUDGEN AND DECREED that defts. are not violating plttfs' constitutional rights with respect to plttfs' claims regarding food, internal assaults and length of pre-trial detention. FURTHER ORDERED that the Magistrate's Memorandum be and is accepted. FURTHER ORDERED THAT THE CLAIM OF William J. Bruce, No 82-223C(1), be and is dismissed as moot in accordance with the recommendation of William S. Bahn, U.S. Magistrate. FURTHER ORDERED that plttfs' attorneys shall file with this Court, within fifteen(15) days of the date of this order, their verified Motion for allowance of attorney's fees together with Affidavits in support thereof. Deft. shall have ten(10) days from the date plttfs' attorneys file said Motion and Affidavits, to file their objections thereto. (JFN) (CC: attys., Judge Bahn
9/13/83		EXTENSION OF TIME - By Leave of Court, plttf. granted up to 9/21/83 to file Verified Motion for allowance of attorney's fees w/affidavits in Support as required in order of 8/30/83. SO ORDERED (JFN)
9/20/83		VERIFIED Petition for Attorneys fees, fld. by plttf.(memo fld.)LEAVE GRANTED(JFN)
1/83		PETITION for allowance of attorneys fees, fld. by plttf. John P. Emde.
		10/7/83 Petitions for attys. fees fld. 9/20/83 and 9/21/83 and entire file submitted to Judge Nangle.

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF ROBERT BULLINGTON, et al	DEFENDANT WARDEN MORELAND, et al	DOCKET NO. 79-650C(1) PAGE ___ OF ___ PAGES
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DATE	NR.	PROCEEDINGS
11/3/83		MEMORANDUM - Request for a hearing on pltffs' verified petitions for attorneys fees, fld. by deflt. St. Louis County Dept. of Justice Services.
11/10/83		NOTICE for Hearing on pltff's motion for attorney fees on Monday, 11/21/83 at 9:30 a.m., fld. (cc:attys.)
11/29/83		ORDER & MEMORANDUM - HEREBY ORDERED that John P. Emde, pltff's atty., be and is awarded \$25,000.00 as attorney's fees, and that James L. Thomas, pltff's attorney, be and is awarded \$12,500.00 as attorney's fees.(JFN)(cc:attys.)
6/7/84		MEMORANDUM - acknowledgment satisfaction in full of attys. fees awarded to him, fld. by James L. Thomas.
93		COURTROOM MIN SHEET filed. Parties present for hrg on motion to modify order. Testimony heard. Monitoring matters referred to Mag. Bahn. Status report due from deflt in 30 days.(eod 8/18/93 jwh)
8/13/93		ORDER(ELF) Any motions filed from 8/16/93 through 8/27/93 referred to Mag. Bahn. (eod 8/18/93 jwh)cc:parties
7/93		MOTION TO MODIFY order filed by deflt. w/afdt of Calzona Hall. ORDER(ELF) Motion to modify granted. See order. Hrg set for 8/2/93 at 10:30 AM. (eod 9/29/93 jwh_cc:parties
8/2/93		ORDER(ELF) Any motions filed from this date to 8/9/93 referred to Mag. Bahn. Order entered in 1983 remains in full force and effect.(eod 9/29/93 jwh)cc:PARTIES
9/2/93		STATUS REPORT filed by defts.(eod 9/29/93 jwh)
9/30/93		Status report filed by deflt.(eod 10/18/93 jwh)
11/1/93		STATUS REPORT filed by defts.(eod 11/22/93 jwh)
11/30/93		STATUS REPORT filed by defts.(eod 12/7/93 jwh)
1/3/94		STATUS REPORT and req for extension of time filed by defts and submitted to Judge Filippine.(eod 1/7/94 jwh)
2/3/94		STATUS REPORT filed by defts.(eod 2/9/94 jwh)
3/2/94		STATUS REPORT filed by deflt(eod 3/10/94 jwh)
3/29/94		MOTION TO terminate emergency order by defts. SO ORDERED (ELF) cc: parties (EOD: 4/11/94 km)