CLOSED, LG

U.S. District Court
Southern District of Mississippi (Hattiesburg)
CIVIL DOCKET FOR CASE #: 2:92-cv-00235-CWP

Crosby, et al v. Jones County, et al
Assigned to: Judge Charles W. Pickering
Demand: $0
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 10/20/1992
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Bruce l. Crosby represented by **David J. Utter(PHV)**
DAVID J. UTTER, ATTORNEY
Louisiana Crisis Assistance Center
636 Baronne St.
New Orleans, LA 70113
504-558-9867
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Eric L. Taylor represented by **David J. Utter(PHV)**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Maurice Keyes represented by **David J. Utter(PHV)**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Intervenor Plaintiff

United States of America

V.

Defendant

Jones Co., MS represented by **Jon Mark Weathers**
BRYAN NELSON, PA
P.O. Drawer 18109
Hattiesburg, MS 39404-8109
601/261-4100

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William Wyatt Sumrall
GILCHRIST, SUMRALL, THAXTON, YODER & BOONE, PLLC
P. O. Box 106
Laurel, MS 39441-0106
(601) 649-3351
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Maurice Hooks
Sheriff of Jones County, In His Official Capacity

Defendant

Lafayette Nelson
Chief Correctional Officer of Jones County, In His Official Capacity

Defendant

Jerome Wyatt
President Of The Jones County Board Of Supervisors, In His Official Capacity

Defendant

Melton E. Saul
Member of Jnes County Board Of Supervisors, In His Official Capacity

Defendant

John Sumrall
Member of The Jones County Board Of Supervisors, In His Official Capacity

Defendant

Thomas R. Knight
Member of the Jones County Board of Supervisors, in His Official Capacity

Defendant

Calvin Holifield
Member of the Jones County Board of Supervisors, In Their Official Capacitites.

Defendant

Jones County Property Owners Association
Willus Horne, Prisdent, Tom Pittman, Treasurer

Date Filed	#	Docket Text
10/20/1992	1	COMPLAINT ; (fe) (Entered: 10/22/1992)
10/20/1992	2	MOTION by plaintiff Bruce l. Crosby, plaintiff Eric L. Taylor, plaintiff Maurice Keyes to Proceed in Forma Pauperis (fe) (Entered: 10/22/1992)
10/20/1992	3	MOTION by plaintiff Bruce l. Crosby, plaintiff Eric L. Taylor, plaintiff Maurice Keyes for David J. Utter to Appear Pro Hac Vice , w/aff & cert of good standing. (fe) (Entered: 10/22/1992)
10/21/1992	4	NOTICE ORDER setting Status conference by 4:00 1/6/93 ; Settlement conference by 4:00 1/6/93 ; Scheduling order conference by 4:00 1/6/93 ; (signed by Judge Charles W. Pickering); copies mailed to David Utter & Travis Buckley. (fe) (Entered: 10/22/1992)
11/04/1992	5	ORDER granting [2-1] motion to Proceed in Forma Pauperis (signed by Magistrate Judge Alfred G. Nicols); copies mailed. (fe) (Entered: 11/16/1992)
11/04/1992	6	ORDER granting [3-1] motion for David J. Utter to Appear Pro Hac Vice (signed by Magistrate Judge Alfred G. Nicols); copies mailed. (fe) (Entered: 11/16/1992)
11/05/1992	7	ORDER : Stat cnf set for 11-19-92 at 1:00 bfr CWP in H'burg. (signed by Judge Charles W. Pickering); copies mailed. (fe) (Entered: 11/16/1992)
11/05/1992		Status Conference set at 1:00 11/19/92 (fe) (Entered: 11/16/1992)
11/05/1992		Copy of ntc & ord sent to Jon M. Weathers, Wm. Sumrall & Anthony Thaxton. (fe) (Entered: 11/16/1992)
11/05/1992		Summons issued, except for Jerome Wyatt. (fe) (Entered: 11/16/1992)
11/19/1992	8	ORDER: That Jones Cty Property Owners Asso., Willus Horne, President, Tom Pittman, Treasuer be joined as a party deft; that Clk's office immed issue process for wWIllus Horne, Tom Pittman. Summons issued. (signed by Judge Charles W. Pickering); copies mailed. (fe) (Entered: 11/20/1992)
11/23/1992	9	ORDER: That stat conf set for 12-14-92 at 10:30 bfr CWP, all counsel & all party defts be presnt, 1:15 stat conf shall reconvene on the record; that a comprehensive stip of all non-contested facts by all parties be subm to crt no later than 12-9-92, failure to do so will expose the non-agreeing party to sanctions &/or costs; Crt will appt a committee at 12-14-92 stat conf to report long term solutions, cty supervs to subm a list of 8 person, Sheriff Hooks 4 Persons, Pltfs's 6 person & Property Owners Asso 6

		person for crt consideration; all disc & further proceedings stayed until 4-1-93, except that pltfs may file a mtn for class cert. (signed by Judge Charles W. Pickering); copies mailed. (fe) (Entered: 11/23/1992)
11/27/1992	10	MOTION by plaintiffs to Amend [1-1] complaint . (mbs (Entered: 11/27/1992)
11/27/1992	11	MOTION by plaintiffs to Certify Class . (mbs (Entered: 11/27/1992)
11/27/1992	12	SUMMONS Returned Executed as to defendants Maurice Hooks and Lafayette Nelson by mail on 11/20/92; Answer due on 12/10/92. (mbs (Entered: 11/27/1992)
11/27/1992	13	SUMMONS Returned Executed as to defendants Jerome Wyatt, Melton E. Saul, John Sumrall, Thomas R. Knight and Calvin Holifield by mail on 11/24/92; Answer due on 12/14/92. (mbs (Entered: 11/27/1992)
12/01/1992	14	ORDER granting [10-1] motion to Amend [1-1] complaint (signed by Judge Charles W. Pickering); copies mailed. (fe) (Entered: 12/01/1992)
12/09/1992		Cpy of ntc/ord sent to Atty Dickerson. (fe) (Entered: 12/09/1992)
12/09/1992	15	Pltf's Nominations for crt appt jail committee. (fe) (Entered: 12/09/1992)
12/10/1992	16	STIPULATION as to inspection of Jones Cty Jail. (fe) (Entered: 12/10/1992)
12/10/1992	17	SUMMONS Returned Executed as to defendant Jones County through Tom Pittman on 11/25/92 Answer due on 12/15/92 for Jones County Prop. (fe) (Entered: 12/10/1992)
12/14/1992	18	ORDER: Appts the following committe: Robert Sullivan, Jerome Wyatt, John Sumrall, Calvin Holifield, Maurice Hooks, Travis Buckley, Larry Thomas, Gene Clark, Sandy Meaders, Willus Horne, Howard Robertson, Glenn dean Cochran, Willie Meador, Jr., Lafayette Nelson, Vern Geddie, Roy Hunt Boutwell, Chancery Clerk, svc as a non-voting memebere; commte to meet w/crt on 12-17-92 at 10:30 in H'burg; if matter not resolved by 4-1-93, the crt will will resolve this matter. (signed by Judge Charles W. Pickering); copies mailed. (fe) (Entered: 12/14/1992)
01/05/1993	19	JOINT MOTION for leave to file stipulation on class certification . (fe) (Entered: 01/05/1993)
01/07/1993	20	ORDER granting [19-1] joint motion for leave to file stipulation on class certification (signed by Judge Charles W. Pickering); copies mailed. (fe) (Entered: 01/07/1993)
01/11/1993	21	ORDER: Court directs that each committee member atten as many meetings as possible & if necessary take time off from work w/out reprisal from their employers. (signed by Judge Charles W. Pickering); copies mailed. (fe) (Entered: 01/11/1993)
01/20/1993	22	Summons returned unexecuted as to defendant Jones County. (fe) (Entered: 01/21/1993)

02/24/1993	23	ORDER that committee continue it's work & report to court on or before 4-1-93. (signed by Judge Charles W. Pickering); copies mailed. (fe) (Entered: 02/24/1993)
03/30/1993	24	COMMITTEE REPORT (fe) (Entered: 04/14/1993)
04/01/1993	25	ORDER: Matter before Court for final report by Jones County Jail Committee; Committee has presented and Court has received and accepts Report as unanimous position of Committee; Committee discharged subject to later recall; Defendant Jones County to expeditiously carry out recommendations of report; Defendant Jones County shall proceed to obtain authority to issue general obligation bonds in amount of 3 million dollars to finance new jail by 5/14/93 and submit status report to Court; Defendant Jones County to proceed to secure suitable property in close proximity to existing jail for construction of new jail from City of Laurel or others and submit status report to Court and parties by 6/30/93; Defendant Jones County to submit status report to Court and parties on progress including final plans and specifications by 9/30/93; this action stayed until 9/30/93 or until further order of Court with any party having right to move to activate case for hearing of any necessary matter in interim; Defendant Jones County through its attorney and Defendant Sheriff Hooks and his attorney, Weathers, and attorneys for plaintiffs to meet and discuss interim relief for plaintiffs and interim attorney fees during 6-month stay and report to Court by 9/30/93 with any of these parties having right to move Court for hearing on appropriate relief prior to that time (signed by Judge Charles W. Pickering on 3/3l/93); copies mailed. (mbs Modified on 04/14/1993 (Entered: 04/02/1993)
05/07/1993	26	STATUS REPORT by defendant Jones County that Jones county has obtained authority to issue general obligation bonds in amount of $3,000,000.00 to finance new jail. (fe) Modified on 05/10/1993 (Entered: 05/07/1993)
05/24/1993	27	MOTION by defendant Jones County to Stay, Delay Status Report . (fe) (Entered: 05/24/1993)
05/25/1993	28	ORDER granting Jones County's [27-1] motion to Stay, Delay Status Report: reset Status Report deadline to 7/31/93 (signed by Judge Charles W. Pickering on 5/24/93); copies mailed. (mbs (Entered: 05/25/1993)
07/28/1993	29	ORDER: Committee be reconvened to meet in conference with Court on 7/30/93 at 10:00 a.m.; parties to be available for conference with court in chambers at 1:00 p.m. and all parties be present for an on the record conference in open court at 2:00 p.m. on said date (signed by Judge Charles W. Pickering on 7/27/93); copies mailed. (mbs (Entered: 07/28/1993)
07/30/1993	30	STATUS REPORT by defendant Jones County, MS. (fe) (Entered: 07/30/1993)
07/30/1993	31	MEMORANDUM OPINION and ORDER amending its previous Order establishing deadlines for completing various steps toward construction of a new jail in accordance with this Opinion & Order. I am requesting

		that Jail Committe members Robert Sullivn, Willus Horne & Vern Geddie meet with Board of Supervisors members Jerome Wyatt, Calvin Holifield & John Sumrall along with Mayor Vincent & City Council, Melvin Mack & David Ratcliff as well Sheriff Hooks to consider all problems associated with locating the jail at the Courthouse. The Jail Committee shall Report to this Court within 2 weeks (signed by Judge Charles W. Pickering) ; copies mailed. (fe) (Entered: 08/02/1993)
08/02/1993	32	Minute entry: Conference held 7-30-93 before Judge Pickering. ACTION TAKEN-see order entered this date. (fe) (Entered: 08/03/1993)
08/12/1993	33	ORDER extending the time that the Committee has to fulfill its obligation set out in the 7-30-93 Memorandum Opinion & Order until 8-27-93 (signed by Judge Charles W. Pickering); copies mailed. (fe) (Entered: 08/12/1993)
08/27/1993	35	ORDER: That the report of the committee filed this date is accepted; the Jones County Jail Committee is fully discharged; the Jones County Board of Supervisors shall forthwith determine an appropriate location for the new jail; a revised scheduling order shall be entered by the Court after due consultation with the parties (signed by Judge Charles W. Pickering); copies mailed. (fe) (Entered: 08/27/1993)
09/20/1993	36	MOTION to Intervene by United States . (fe) (Entered: 09/20/1993)
09/20/1993		Letter from plaintiff's counsel with a change of address. Copy forwarded to Karen. (fe) (Entered: 09/20/1993)
09/30/1993	37	ORDER granting [36-1] motion to Intervene by United States (signed by Judge Charles W. Pickering); copies mailed. (fe) (Entered: 09/30/1993)
10/05/1993	38	NOTICE of Hearing: set Status Conference for 11:00 on 10/18/93 before Judge Pickering. (fe) (Entered: 10/06/1993)
10/05/1993		Magistrate Judge Assignment-Sumner. (mbs (Entered: 10/12/1993)
10/18/1993	39	NOTICE of Hearing: resetting Status Conference for 10:00 on 12/16/93 before Judge Pickering in Hattiesburg. (fe) (Entered: 10/19/1993)
10/19/1993	40	ORDER granting plaintiff's [11-1] motion to Certify as a Class of all persons who are now, or in the future will be, incarcerated at the Jones County Jail (signed by Judge Charles W. Pickering); copies mailed. (fe) (Entered: 10/19/1993)
10/21/1993	41	MOTION by Travis Buckley for interim expenses . (fe) (Entered: 10/21/1993)
10/22/1993	42	ORDER that the plaintiffs & US Justice Dept. & defendants will endeavoe to complete an agreement on or before 12-16-93; that they will endeavor to work out an agreement regarding attorney fees & report to the Court on the status on 12-16-93. (signed by Judge Charles W. Pickering); copies mailed. (fe) (Entered: 10/25/1993)
11/19/1993	43	NOTICE of Hearing: By Travis Buckley for hearing on motion for

		Interim Expenses on 12-16-93 at 11:00 or as soon as counsel can be heard. (fe) (Entered: 11/19/1993)
03/01/1994	44	CONSENT ORDER: 31-page Order defines terms, states background of litigation; terms and schedule for new jail construction delineated; policies and procedures for operation of jail and treatment of inmates set forth in detail; except where otherwise indicated defendants to implement provisions of this order within 60 days of its entry; until such time as new jail facility is completed defendants to file with court status report stating daily population of jail, etc. every 30 days following signing of this order; until such time as new jail facility is completed Defendants to file with court status report stating specific compliance with this order every 90 days following signing of this order; if completion of new jail facility is significantly delayed for any reason, plaintiffs and plaintiff-intervenors shall have right to seek addidtional relief from court; defendants to maintain sufficient records to document compliance with this order to which counsel for plaintiffs and plaintiff-intervenors shall have access; defendants to explain terms of this order to all persons connected with jail to ensure their understanding of its requirements and necessity for compliance; said persons to sign statements, to be retained by defendants, indicating they have read and understand order and defendants shall require strict compliance by their respective employees, agents, assigns or successors; within 10 days and continuously thereafter defendants to post copies of this order at places designated in order and in addition an inmate shall be afforded copy upon request; court to retain jurisdiction of this case to ensure compliance, with power to delineate respective duties and responsibilities of individual defendants (signed by Judge Charles W. Pickering on 3/1/94); copies mailed. (mbs (Entered: 03/02/1994)
03/28/1994	45	STATUS REPORT by defendant Jones Co., MS (fe) (Entered: 03/28/1994)
05/18/1994	46	STATUS REPORT - Jail Population by defendant Jones Co., MS (fe) (Entered: 05/18/1994)
06/08/1994	47	STATUS REPORT as to Jail Population by defendant Jones Co., MS. (mbs (Entered: 06/08/1994)
06/10/1994	48	FIRST QUARTERLY STATUS REPORT by defendant Jones Co., MS. (fe) (Entered: 06/10/1994)
07/07/1994	49	STATUS REPORT by defendant Maurice Hooks. (fe) (Entered: 07/08/1994)
07/15/1994	50	Copy of letter from Attorney Douglas S. Boone to Eddie Lucas, Commissioner, Department of Corrections, regarding necessity of prompt removal of state prisoners from Jones County Jail. (mbs Modified on 07/15/1994 (Entered: 07/15/1994)
07/20/1994	51	STATUS REPORT by defendant Jones Co., MS. (fe) (Entered: 07/20/1994)
08/03/1994		Letter from Dougals S. Boone dated 8-1-94 to Eddie Lucas concerning

		State Prisoners removal. (fe) (Entered: 08/03/1994)
08/19/1994	52	STATUS REPORT by defendant Jones Co., MS (fe) (Entered: 08/19/1994)
09/16/1994	53	STATUS REPORT by defendant Jones Co., MS. (fe) (Entered: 09/16/1994)
10/31/1994	54	SECOND QUARTERLY STATUS REPORT by defendant Jones Co., MS. (fe) (Entered: 11/01/1994)
10/31/1994	55	STATUS REPORT - JAIL POPULATION by defendant Jones Co., MS. (fe) (Entered: 11/01/1994)
12/28/1994	56	STATUS REPORT-JAIL POPULATION by defendant Jones Co., MS. (fe) (Entered: 12/28/1994)
09/11/1995	57	MOTION by plaintiff Bruce L. Crosby for status conference (fe) (Entered: 09/11/1995)
11/16/1995	58	NOTICE of Hearing: set Status Conference for 2:00 on 1/9/96 before Judge Charles W. Pickering in Hattiesburg. (fe) (Entered: 11/16/1995)
12/19/1995	59	MOTION by defendant Jones Co., MS, defendant Maurice Hooks, defendant Lafayette Nelson to Dismiss Exhibits A through C are attached. (fe) (Entered: 12/20/1995)
12/19/1995	60	NOTICE of Hearing: Motion to Dismiss set for 1/9/96 at 2:00 in Hattiesburg (fe) (Entered: 12/20/1995)
05/08/1996		Magistrate Judge Assignment - Louis Guirola, Jr., pursuant to Standing Local Order filed May 3, 1996. (mbs (Entered: 05/08/1996)
06/26/1996		Notice of prisoner Litigation Reform Act and amendments to MCA 47-5-138, mailed. (fe) (Entered: 06/26/1996)
07/19/1996	61	Change of address of Attorney, David J. Utter, for plaintiffs, Bruce L. Crosby, Eric L. Taylor, Maurice Keyes. Address: Louisiana Crisis Assistance Center, 636 Baronne Street, New Orleans, LA 70113 (504) 558-9867. (fe) (Entered: 07/23/1996)
07/23/1996	62	ORDER granting [59-1] motion to Dismiss; cause is dismissed with prejudice, attorney's fees and expenses in amount of $5,225.00 is awarded to plaintiff's attorney to be paid by Jones County. (signed by Judge Charles W. Pickering 7/23/96); copies mailed. (fe) (Entered: 07/24/1996)
07/23/1996		Case closed (fe) (Entered: 07/24/1996)

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