

CLOSED,CLASS_ACTION,JURY,NO_CMC,RHW

**U.S. District Court
Southern District of Mississippi (Northern (Jackson))
CIVIL DOCKET FOR CASE #: 3:15-cv-00732-TSL-RHW**

Bell et al v. The City of Jackson, Mississippi
Assigned to: District Judge Tom S. Lee
Referred to: Magistrate Judge Robert H. Walker
Cause: 42:1983 Civil Rights Act

Date Filed: 10/09/2015
Date Terminated: 06/20/2016
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Jerome Bell

represented by **Alec Karakatsanis – PHV**
EQUAL JUSTICE UNDER LAW
916 G Street NW, #701
Washington, DC 20001
202/681-2409
Email: alec@equaljusticeunderlaw.org
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Cliff Johnson
MACARTHUR JUSTICE CENTER –
University
Director, University of Mississippi School
of Law
481 Chucky Mullins Drive
University, MS 38677
662-915-6863
Email: cjohnson@macarthurjustice.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jacob W. Howard
MCDUFF & BYRD
767 N. Congress
Jackson, MS 39202
601/969-0802
Fax: 602/969-0804
Email: jake@mcdufflaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

James Sheppard

represented by **Alec Karakatsanis – PHV**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Cliff Johnson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jacob W. Howard
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Marteze Harris

represented by **Alec Karakatsanis – PHV**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Cliff Johnson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jacob W. Howard
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Domonic Butler

represented by **Alec Karakatsanis – PHV**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Cliff Johnson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jacob W. Howard
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Michael Davis

represented by **Alec Karakatsanis – PHV**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Cliff Johnson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jacob W. Howard
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Ricky Lambert

represented by **Alec Karakatsanis – PHV**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Cliff Johnson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jacob W. Howard

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Jarmale Walker

represented by **Alec Karakatsanis – PHV**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Cliff Johnson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jacob W. Howard
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

The City of Jackson, Mississippi

represented by **LaShundra B. Jackson–Winters–City Gov**
OFFICE OF THE CITY ATTORNEY –
Jackson
P. O. Box 2779
455 E. Capitol St. (39201)
Jackson, MS 39207–2779
601/960–1799
Fax: 601/960–1756
Email: lwinters@city.jackson.ms.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Gail Wright Lowery–City Gov
OFFICE OF THE CITY ATTORNEY –
Jackson
P. O. Box 2779
455 E. Capitol St. (39201)
Jackson, MS 39207–2779
601/960–1799
Fax: 601/960–1756
Email: glowery@city.jackson.ms.us
ATTORNEY TO BE NOTICED

Intervenor

Professional Bail Agents Association of Mississippi, Inc.
TERMINATED: 08/25/2016

represented by **Christopher E. Smith**
SMITH & HOLDER, PLLC
P. O. Box 1149
Gulfport, MS 39502
228/206–7076
Fax: 228/284–1870
Email: chris@smithholder.com
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
------------	---	-------------

10/09/2015	<u>1</u>	CLASS ACTION COMPLAINT against The City of Jackson, Mississippi (Filing fee \$ 400 receipt number 34643035775) filed by James Sheppard, Jerome Bell, Marteze Harris, Jarmale Walker, Ricky Lambert, Michael Davis, and Domonic Butler. (Attachments: # <u>1</u> Exhibit A – Bell, Mittimus 7/10/15, # <u>2</u> Exhibit B – Sheppard, Mittimus 9/4/15, # <u>3</u> Exhibit C – Harris, Mittimus 7/23/15, # <u>4</u> Exhibit D – Public Service Work Agreement, 9/15/15, # <u>5</u> Exhibit E – Butler, Mittimus 7/22/15, # <u>6</u> Exhibit F – Davis, Mittimus 4/13/15, # <u>7</u> Exhibit G – Lambert, Mittimus 8/14/15, # <u>8</u> Exhibit H – Public Service Work Agreement, 9/17/15, # <u>9</u> Exhibit I – Walker, Mittimus 7/13/15, # <u>10</u> Civil Cover Sheet)(ND) (Entered: 10/09/2015)
10/09/2015	<u>2</u>	Summons Issued as to The City of Jackson, Mississippi. (ND) (Entered: 10/09/2015)
10/14/2015	<u>3</u>	SUMMONS Returned Executed by James Sheppard, Jerome Bell, Marteze Harris, Jarmale Walker, Ricky Lambert, Michael Davis, Domonic Butler The City of Jackson, Mississippi served on 10/14/2015, answer due 11/4/2015. (Johnson, J.) (Entered: 10/14/2015)
10/16/2015	<u>4</u>	MOTION for Alec Karakatsanis to Appear Pro Hac Vice by Jerome Bell, Domonic Butler, Michael Davis, Marteze Harris, Ricky Lambert, James Sheppard, Jarmale Walker (Attachments: # <u>1</u> Appendix Certificate of Good Standing)(Johnson, J.) (Entered: 10/16/2015)
10/16/2015		Pro Hac Vice fee paid for Alec Karakatsanis receipt number 0538–3051190 \$ 100 (Johnson, J.) (Entered: 10/16/2015)
10/19/2015	<u>5</u>	Amended MOTION for Alec Karakatsanis to Appear Pro Hac Vice by Jerome Bell, Domonic Butler, Michael Davis, Marteze Harris, Ricky Lambert, James Sheppard, Jarmale Walker (Attachments: # <u>1</u> Appendix Certificate of Good Standing)(Johnson, J.) (Entered: 10/19/2015)
10/19/2015	<u>6</u>	ORDER granting <u>5</u> Amended Motion to Appear Pro Hac Vice. Alec Karakatsanis shall be admitted pro hac vice to serve as co–counsel for the defendants Jerome Bell, Domonic Butler, Michael Davis, Marteze Harris, Ricky Lambert, James Sheppard and Jarmale Walker. Signed by Magistrate Judge Robert H. Walker on October 19, 2015. (Joffe, Scherry) (Entered: 10/19/2015)
10/19/2015		TEXT ONLY ORDER finding as moot <u>4</u> Motion to Appear Pro Hac Vice. Movants filed an Amended Motion <u>5</u> which the Court has granted by order <u>6</u> entered this date. NO FURTHER WRITTEN ORDER WILL ISSUE. Signed by Magistrate Judge Robert H. Walker on October 19, 2015. (Joffe, Scherry) (Entered: 10/19/2015)
10/23/2015	<u>7</u>	ANSWER to <u>1</u> Complaint., by The City of Jackson, Mississippi.(Jackson–Winters, LaShundra) (Entered: 10/23/2015)
10/26/2015		NOTICE of Hearing: Telephone Conference set for 11/5/2015 10:00 AM before Magistrate Judge Robert H. Walker to establish deadlines for class action discovery and to file a motion to certify a class. Plaintiff will place the telephone call to Judge Walker's chambers with all necessary counsel on the line. (SR) (Entered: 10/26/2015)
11/05/2015		Minute Entry for proceedings held before Magistrate Judge Robert H. Walker: Telephone Conference held on 11/5/2015 with attorneys J. Cliff Johnson and LaShundra B. Jackson–Winters who advised they are attempting to settle the case and are requesting additional time to continue settlement negotiations. The Court will not schedule deadlines at this time but will notice another telephonic status call for December 3, 2015 at 10:00 AM. (SR) (Entered: 11/05/2015)
11/05/2015		NOTICE of Hearing: Telephonic Status Conference set for 12/3/2015 10:00 AM before Magistrate Judge Robert H. Walker. Plaintiff will place the telephone call to Judge Walker's chambers with all necessary counsel on the line. (SR) (Entered: 11/05/2015)
12/03/2015		Minute Entry for proceedings held before Magistrate Judge Robert H. Walker: Telephonic Status Conference held on 12/3/2015 with attorneys J. Cliff Johnson and LaShundra B. Jackson–Winters who advised they have participated in

		numerous lengthy in-person negotiations and advised they are making substantial progress toward settlement of the case, but are requesting additional time to continue the negotiations. The Court will notice another telephonic status call for January 5, 2016 at 1:30 PM. (SR) (Entered: 12/03/2015)
12/03/2015		NOTICE of Hearing: Telephonic Status Conference set for 1/5/2016 01:30 PM before Magistrate Judge Robert H. Walker. Plaintiff will place the telephone call to Judge Walker's chambers with all necessary counsel on the line. (SR) (Entered: 12/03/2015)
01/05/2016		Minute Entry for proceedings held before Magistrate Judge Robert H. Walker: Telephonic Status Conference held on 1/5/2016 with attorneys J. Cliff Johnson and LaShundra B. Jackson-Winters who advised they continue to make substantial progress toward settlement of the case but are requesting additional time to continue negotiations. The Court advised it will allow one last opportunity to reach a settlement and will notice a telephonic status conference for February 16, 2016 at 10:00 AM. If the case has not settled by that date deadlines for class action discovery and to file a motion to certify a class will be scheduled. (SR) (Entered: 01/05/2016)
01/05/2016		NOTICE of Hearing: Telephonic Status Conference set for 2/16/2016 10:00 AM before Magistrate Judge Robert H. Walker. Plaintiff will place the telephone call to Judge Walker's chambers with all necessary counsel on the line. (SR) (Entered: 01/05/2016)
02/16/2016		Minute Entry for proceedings held before Magistrate Judge Robert H. Walker: Telephonic Status Conference held on 2/16/2016 with attorneys J. Cliff Johnson, Gail W. Lowery and LaShundra B. Jackson-Winters. Counsel continue to negotiate settlement of the case in good faith and advised they have resolved all but four to five issues. The Court is directing that counsel meet in person in an attempt to finalize settlement and will schedule a telephonic status conference for March 2, 2016 at 10:00 AM. (SR) (Entered: 02/16/2016)
02/16/2016		NOTICE of Hearing: Telephonic Status Conference set for 3/2/2016 10:00 AM before Magistrate Judge Robert H. Walker. Plaintiff will place the telephone call to Judge Walker's chambers with all necessary counsel on the line. (SR) (Entered: 02/16/2016)
02/22/2016		Reset Hearings: Telephonic Status Conference RESET for 3/2/2016 01:30 PM before Magistrate Judge Robert H. Walker. Plaintiff will place the telephone call to Judge Walker's chambers with all necessary counsel on the line. (SR) (Entered: 02/22/2016)
03/02/2016		Reset Hearings: Telephonic Status Conference RESET for 3/16/2016 01:30 PM before Magistrate Judge Robert H. Walker. Plaintiff will place the telephone call to Judge Walker's chambers with all necessary counsel on the line. (SR) (Entered: 03/02/2016)
03/16/2016		Minute Entry for proceedings held before Magistrate Judge Robert H. Walker: Telephonic Status Conference held on 3/16/2016 with attorneys J. Cliff Johnson, Gail W. Lowery and LaShundra B. Jackson-Winters who advised they continue in their efforts to resolve all issues but several remain contested. The Court directed the attorneys to continue in their attempts to settle the case but stated that the case will now proceed and that a telephonic case management conference will be noticed for April 28, 2016 at 1:30 PM. (SR) (Entered: 03/16/2016)
03/16/2016	<u>8</u>	Rule 16(a) Initial Order Telephonic Case Management Conference set for 4/28/2016 01:30 PM before Magistrate Judge Robert H. Walker. (SR) (Entered: 03/16/2016)
04/07/2016	<u>9</u>	NOTICE of Appearance by Gail Wright Lowery on behalf of The City of Jackson, Mississippi (Lowery, Gail) (Entered: 04/07/2016)
04/21/2016	<u>10</u>	NOTICE of Service of <i>City of Jackson's Initial</i> Disclosure by The City of Jackson, Mississippi (Jackson-Winters, LaShundra) (Entered: 04/21/2016)
04/22/2016	<u>11</u>	NOTICE of Service of <i>Initial</i> Disclosure by Jerome Bell, Domonic Butler, Michael Davis, Marteze Harris, Ricky Lambert, James Sheppard, Jarmale Walker (Johnson,

		J.) (Entered: 04/22/2016)
04/22/2016		DOCKET ANNOTATION as to # <u>11</u> . This document is not accompanied by a certificate of service. A certificate of service must be attached to a document [Administrative Procedures for Electronic Case Filing, Sec. 4.A.1, Sec. 4.B, and Fed.R.Civ.P. Rule 5(d)(1)]. Attorney is directed to file a certificate as CERTIFICATE OF SERVICE and link it to the proper document. (ND) (Entered: 04/22/2016)
04/25/2016	<u>12</u>	ATTACHMENT re <u>11</u> Notice of Service of Disclosure – <i>Certificate of Service</i> by Jerome Bell, Domonic Butler, Michael Davis, Marteze Harris, Ricky Lambert, James Sheppard, Jarmale Walker (Johnson, J.) (Entered: 04/25/2016)
04/28/2016		Minute Entry for proceedings held before Magistrate Judge Robert H. Walker: Telephonic Case Management Conference held on 4/28/2016 with attorneys J. Cliff Johnson, LaShundra B. Jackson–Winters and Gail Wright Lowery who advised that the attorneys have agreed to terms of a potential settlement of the case which is to be presented to the Jackson city council for consideration and approval at their next meeting on May 3, 2016. The Court will not enter a scheduling order at this time but will notice another telephonic status conference for May 5, 2016 at 10:30 AM. (SR) (Entered: 04/28/2016)
04/28/2016		NOTICE of Hearing: Telephonic Status Conference set for 5/5/2016 10:30 AM before Magistrate Judge Robert H. Walker. Plaintiff will place the telephone call to Judge Walker's chambers with all necessary counsel on the line. (SR) (Entered: 04/28/2016)
05/05/2016		Minute Entry for proceedings held before Magistrate Judge Robert H. Walker: Telephonic Status Conference held on 5/5/2016 with attorneys Jacob W. Howard, LaShundra B. Jackson–Winters and Gail Wright Lowery. Counsel for the City of Jackson, Mississippi advised that the proposed settlement agreement was presented to the Jackson city council for approval at their meeting on May 3, 2016 and that the settlement was approved in principle. The attorneys are preparing a revised settlement agreement and will submit same to the Jackson city council for final approval at their June 7, 2016 meeting. The Court will notice a telephonic status call for June 9, 2016 at 3:00 PM. (SR) (Entered: 05/05/2016)
05/05/2016		NOTICE of Hearing: Telephonic Status Conference set for 6/9/2016 03:00 PM before Magistrate Judge Robert H. Walker. Plaintiff will place the telephone call to Judge Walker's chambers with all necessary counsel on the line. (SR) (Entered: 05/05/2016)
06/09/2016		Minute Entry for proceedings held before Magistrate Judge Robert H. Walker: Telephonic Status Conference held on 6/9/2016 with attorneys J. Cliff Johnson and LaShundra B. Jackson–Winters who advised that the case settled. The attorneys are directed to submit a proposed final judgment to Judge Lee no later than Friday, June 17, 2016. (SR) (Entered: 06/09/2016)
06/20/2016	<u>13</u>	DECLARATORY JUDGMENT: it violates the Constitution to incarcerate an individual, either before or after trial, solely because an individual does not have the ability to make a monetary payment. Signed by District Judge Tom S. Lee on 6/20/16 (LWE) (Entered: 06/20/2016)
06/20/2016	<u>14</u>	FINAL JUDGMENT dismissing plaintiff's claims with prejudice. Signed by District Judge Tom S. Lee on 6/20/16. (RRL) (Entered: 06/20/2016)
06/28/2016	<u>15</u>	MOTION to Intervene by Professional Bail Agents Association of Mississippi, Inc. (Attachments: # <u>1</u> Exhibit Proposed Motion to Alter or Amend Final Judgment, or in the Alternative, for Relief from Final Judgment, # <u>2</u> Exhibit Proposed Memorandum Brief in Support of Motion to Alter or Amend Final Judgment, or in the Alternative, for Relief from Final Judgment, # <u>3</u> Exhibit Complaint in Jenkins vs. City of Jennings, # <u>4</u> Exhibit Judgment in Jenkins vs. City of Jennings, # <u>5</u> Exhibit Complaint in Kennedy vs. City of Biloxi, # <u>6</u> Exhibit Settlement Agreement in Kennedy vs. City of Biloxi, # <u>7</u> Exhibit Complaint in Thompson vs. City of Moss Point, # <u>8</u> Exhibit Final Judgment in Thompson vs. City of Moss Point, # <u>9</u> Exhibit Unopposed Motion for Joinder of Parties in Mitchell vs. City of Montgomery, # <u>10</u> Exhibit Declaration of Wayne Dowdle)(Smith, Christopher)

		(Entered: 06/28/2016)
06/28/2016	<u>16</u>	MEMORANDUM in Support re <u>15</u> MOTION to Intervene filed by Professional Bail Agents Association of Mississippi, Inc. (Smith, Christopher) (Entered: 06/28/2016)
07/12/2016	<u>17</u>	RESPONSE in Opposition re <u>15</u> MOTION to Intervene filed by Jerome Bell, Domonic Butler, Michael Davis, Marteze Harris, Ricky Lambert, James Sheppard, Jarmale Walker (Howard, Jacob) (Entered: 07/12/2016)
07/12/2016	<u>18</u>	MEMORANDUM in Opposition re <u>15</u> MOTION to Intervene filed by Jerome Bell, Domonic Butler, Michael Davis, Marteze Harris, Ricky Lambert, James Sheppard, Jarmale Walker (Attachments: # <u>1</u> Exhibit Exhibit A – McComb Order)(Howard, Jacob) (Entered: 07/12/2016)
07/12/2016	<u>19</u>	RESPONSE in Opposition re <u>15</u> MOTION to Intervene filed by The City of Jackson, Mississippi (Jackson–Winters–City Gov, LaShundra) (Entered: 07/12/2016)
07/20/2016	<u>20</u>	Rebuttal re <u>19</u> Response in Opposition to Motion to Intervene filed by Professional Bail Agents Association of Mississippi, Inc. (Holder, G.) (Entered: 07/20/2016)
08/25/2016	<u>21</u>	ORDER denying <u>15</u> Motion to Intervene filed by Professional Bail Agents Association of Mississippi. (party terminated) Signed by District Judge Tom S. Lee on 8/25/16 (LWE) (Entered: 08/25/2016)