

Tetzlaff v. Swinney



JC-NV-003-000

District	Off.	Yr.	Docket No. Number	OR	Filing Date			Nature	R	Judge	Mag.	Jury	ANB	MDL	Yr.	Docket Number
					Mo.	Day	Yr.	Suit	23			Dem		Docket		
0978	3	87	00202	1	04	29	87	3	550		7807				87	00202 ECR
<p>CAUSE: TITLE 42 SEC. 1983 - PRISONER - CIVIL RIGHTS NOT EXEMPT - FRCP 16(b)</p> <p style="text-align: center;"> <b>PLAINTIFFS</b> <span style="float: right;"><b>DEFENDANTS</b></span>  <b>TETZLAFF, PAUL</b> <span style="float: right;"><b>SWINNEY, VINCENT</b></span>  <span style="float: right;"><b>SHERIFF</b></span> </p>																
<b>ATTORNEYS</b>																
<p>FOR PLAINTIFF:</p> <p><del>IN PRO PER</del>  <del>Paul Tetzlaff - #20683</del>  <del>P.O. Box 807</del>  <del>Nevada State Prison</del>  <del>Carson City, NV 89701</del></p> <p>JOSEPH R. PLATER, ESQ.            440 Hill St.            Reno, NV 89501            (702) 329-6770</p> <p>MARTIN G. CROWLEY            Attorney At Law            275 Hill Street, #207            Reno, NV 89501            (702) 322-8823</p>								<p>FOR DEFENDANT:</p> <p>HILLS LANE            Washoe County Dist. Attorney  <del>STEPHEN P. VOLEX</del> Thomas Riley            Deputy Dist. Attorney            P.O. Box 11130            Reno, NV 89520            (702) 785-5670</p>								
<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS	<b>FILING FEES PAID</b>										<b>STATISTICAL REPORTS PROCESSED</b>					
	DATE		RECEIPT NUMBER				C.O. NUMBER				Filing		Termination		Change	

DATE	NR	PROCEEDINGS

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF PAUL TETZLAFF	DEFENDANT VINCENT SWINNEY	CV-N-87-202-ECR DOCKET NO. PAGE 2 OF _____ PAGES
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DATE	NR.	PROCEEDINGS
4/29/87	1	COMPLAINT. crc.
--	-	JS-5(SS) crc.
--	2	MOTION for lv to proceed in F/P obo P. crc.
--	3	MINUTE ORDER (PHA): ORD Item #2 grtd & Clrk shll file complt, issu summs & delvr same to USM for servc; that P hv 20 days to furn to USM required 285 forms; thay P shall srv upon D, or, if appear by cnsl, upon the atty, cpy of every fur pleading, etc.; P shall include w.orig paper to be fld w/clrk a cert which states date that true & correct cpy of any doc was mld to D or cnsl for D. Any paper rec'd by dist judge or mag which has not been fld w/clrk or which fails to include cert of servc will be disregarded by Crt. Cps dist 4/29/87. (SS) crc.
--	-	SUMMONS issd to USM.crc.
5/14/87	4	MOTION for dismiss obo <sup>b</sup> Ps, w/P&As. (m) (AT) blg.
5/26/87	5	SUMMONS w/USM-RETURN & ACKNOWLEDGMNT: Srvd as to Vincent Swinney, Sheriff on 5/13/87. (m) blg.
6-24-87	-	SUB to ECR: Item #4. (AT) vf.
6/26/87	6	ORDER: (ECR) ORD that unless P files & srvs a resp to mtn to dismiss (#4) w/in 15 days fm dt of this ord, complnt wh be dismiss in accord w/Ds Mtn. Cps.Dist. (AT) blg.
7/10/87	7	OPPOSITION to mtn for dismiss (#4) obo P. (m) blg.
8/11/87	--	SUB to ECR: Item #4. (AT) blg.
9/21/87	8	SCHEDULING/ORDER: (ECR) ORD disc c/o: <u>2/29/88</u> ; Mtn c/o: <u>4/29/88</u> . Cps.Dist. (AT) blg.
11/30/87	9	NOTICE of representatn of cnsl obo P. (m) blg.
12/18/87	10	ORDER: (ECR) ORD to extent P seeks injunctv & declaratory relief, Ds mtn to dismiss (#4) grntd. Ps clms for injunctv & declaratory relief dismiss. Extent P seeks damages, Ds mtn to dismiss (#4) denied. Cps.Dist. (AT) blg.
2/9/88	--	SUB TO ECR: Ps first request for ext of ti to compl disc (2 sep docs) crc.
2/10/88	11	REQUEST/ORDER: (ECR) ORD disc ext til 4/29/88. Cps.Dist. (AT) blg.
2/24/88	--	SUB to ECR: Request to Join in P's 1st req to ext disc. dr.
2/17/88	12	ANSWER obo D. (m) blg.
--	13	JOINDER in Ps 1st req to ext disc obo D, Swinney, w/affdvt. (m) bg.

*Docket Entries Cont'd Pg #3*

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	CV-N-87-202-ECR DOCKET NO. _____ PAGE <u>3</u> OF _____ PAGES
PAUL TETZLAFF		VINCENT SWINNEY, SHERIFF	
DATE	NR.	PROCEEDINGS	
5/6/88	<del>14</del>	MOTION for S/J or in alternatv mtn to compel disc & for attys fees obo P, w/P&As & exhbs. (m) (AT) blg.	
5/11/88	15	MOTION for S/J obo D, Washoe Co., w/P&As. (m) (AT) blg.	
--	16	EXHIBITS to mtn for S/J (#15) obo D, Washoe Co. (m) blg.	
5/19/88	17	OPPOSITION to mtn for S/J or in alternatv, mtn to compel disc & attys fees (#14) obo D, w/exnbs. (m) blg.	
5/31/88	18	OPPOSITION to Ds mtn for S/J ( <del>XX</del> #15) obo P, w/P&As & exhbs. (m) blg.	
6/1/88	19	REPLY to Ds oppositn to Ps mtn for S/J (#14) obo P, w/affdvt. (m) blg.	
5/10/88	20	WITHDRAWAL of Ds mtn for S/J (#15) obo D, Washoe Co. (m) blg.	
5/27/88	--	SUB to ECR: Item #14 & 15. (AT) blg.	
6/28/88	21	MINUTE/ORDER: (ECR) ORD mtn to w/draw mtn for S/J (#20) grntd. Ds Mtn for S/J (#15) is w/drawn. Cps.Dist. (AT) blg.	
--	--	SUB to ECR: Item #14. (AT) blg.	
6/29/88	22	SCHEDULING/ORDER: (ECR) ORD Disc c/o: <u>12/29/88</u> ; Mtn c/o: <u>3/1/89</u> . Cps.Dist. (AT) blg.	
7/5/88	23	MINUTE ORDER: (ECR) ORD P's mtn for S/J or in alt to compel disc and for atty's fees is <u>denies</u> . Cps dist nes.	
12/30/88	<del>24</del>	MOTION to compel disc & for attys fees obo P, w/P&As & exhbs. (m-12/28/88) (AT) blg.	
1/12/89	25	POINTS/AUTHORITIES in oppositn to mtn to compel disc & for attys fees (#24) obo D, w/exhbs. (m) blg.	
1/31/89	26	REPLY P&As to mtn to compel & for attys fees (#24) obo P. (m) blg.	
2/8/89	--	SUB to ECR: Item #24. (AT) blg.	
2/16/89	27	MINUTE/ORDER: (ECR) ORD mtn to compel disc & for attys fees (#24) is assigned to Mag. Cps.Dist. (AT) blg. *aid-2/16/89.	
--	--	SUB to PHA. Item #24. (AT) blg.	
3/30/89	28	MINUTE/ORDER: (PHA) ORD oral argmnt of sd mtn set for 4/21/89 @ 10am. Sh any pty desire written transcript of procdngs, sd pty must mk arrangemnts for 3rd reporter to be present. Hry set w/regard to mtn to compel disc & for attys fees (#24). Cps.Dist. (AT) blg. *mid-4/4/89.	

*Joel E. Ennis Court Page #4*

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	CV-N-87-202-ECR DOCKET NO. _____
PAUL TETZLAFF		VINCENT SWINNEY, SHERIFF	PAGE 4 OF _____ PAGES
DATE	NR	PROCEEDINGS	
4/24/89	29	MOTION to contin hrg set for 4/21/89 obo P. (m) blg.	
--	30	MINUTE/ORDER: (PHA) ORD hrg on mtn to compel (#24) cont'd to 5/8/89 @ 2pm, Mtn to contin hrg (#29) hvg been grntd. Cps. Dist. (AT) blg. *mld=4/27/89.	
5/9/89	31	MINUTES/HEARING DTD-5/8/89: (PHA) ORD Mtn to compel (#24) denied. settlmnt discussed. Parties sh file stip to disp or stmnt of their inability to settle by 4pm, 6/5/89. If parties do not file docmnt of settlmnt this matter sh be resub to Mag for fur procdngs. Cps. Dist. (AT) blg. *mld-5/11/89.	
6/5/89	32	STATEMENT/inability to settle obo D. (m) blg.	
6/12/89	--	SUB to PHA: Item #31, & 32. (AT) blg.	
7/13/89	33	MINUTE/ORDER: (PHA) ORD Status conf set 8/11/89 @ 10am. Cps. Dist. blg. *mld-7/20/89.	
7/26/89	34	RETURN MAIL of #33 mld to Martin G. Crowley, mrkd "forwarding ord expired." bs	
8/10/89	--	Left msg for Martin G. Crowley of hrg set 8/11/89. bs	
8/11/89	35	MINUTES/STATUS/CONFERENCE: (PHA) ORD Defense w/draws tentv settlemnt proposl; both parties lodg w/Crt by 9/1/89 proposd writtn jnt P/T/O in accord w/Local Rules. Cps. Dist. (AT) blg. (C/R: None)	
8/29/89	35a	*mld=8/15/89 STIPULATION for disp w/prej.	
8/29/89	36	ORDER: (ECR) ORD actn disp w/prej; Resolutn of clms presented by P inclds resolutn of all attys fees & costs incurred by P & D. Neither P or D or their respectv cnsl, may mtn Crt for award of attys fees or costs pursnt to 42 USC 1988 or any other statue or Rule of Crt. Cps. Dist. (EOD: 9/6/89) blg.	
9/6/89	--	JS-6. (AT) blg.	