

87BC, CLOSED, DISC, MTNDDL, _DK

U.S. District Court
Western District of Oklahoma[LIVE] (Oklahoma City)
CIVIL DOCKET FOR CASE #: 5:91-cv-01104-C

Draper v. Walsh, et al
Assigned to: Honorable Robin J. Cauthron
Demand: \$500,000
Cause: 42:1983 Civil Rights Act

Date Filed: 07/18/1991
Date Terminated: 01/21/1992
Jury Demand: Defendant
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Dacre Beth Draper

represented by **Norman P McDonald**
120 N Robinson Ave
Suite 2109
Oklahoma City, OK 73102
405-236-4800
ATTORNEY TO BE NOTICED

V.

Defendant

John Walsh
*individually and as Sheriff of Cleveland
Cty, State of Oklahoma*
TERMINATED: 09/05/1991

represented by **Jamie J McGraw**
Jackson & McGraw
100 E Main St
Norman, OK 73069
405-364-5486
Fax: 405-364-0222
TERMINATED: 09/05/1991
ATTORNEY TO BE NOTICED

John M Jacobsen
District Attorney's Ofc-OKC
320 Robert S Kerr Ave
Suite 505
Oklahoma City, OK 73102
405-713-1600
Fax: 405-713-7178
Email: johjac@oklahomacounty.org
ATTORNEY TO BE NOTICED

Reginald D Gaston
District Attorney's Ofc-NORMAN
Cleveland County Courthouse
201 S Jones Ave
Suite 210
Norman, OK 73069

405-321-8268

TERMINATED: 09/05/1991

ATTORNEY TO BE NOTICED

Defendant**Cleveland County Board of County
Commissioners****Defendant****John Walsh***individually and as Sheriff of Cleveland
County State of Oklahoma*represented by **John M Jacobsen**

(See above for address)

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/18/1991	1	COMPLAINT (FE) (Entered: 07/22/1991)
07/18/1991	2	PRAECIPE for and issued 1 Summs by plaintiff Dacre Beth Draper (FE) (Entered: 07/22/1991)
07/18/1991	3	ATTORNEY APPEARANCE for plaintiff Dacre Beth Draper by Norman P. McDonald (FE) (Entered: 07/22/1991)
07/23/1991	4	RETURN OF SERVICE executed upon defendant John Walsh on 7/23/91 by personal service (20 days) (FE) (Entered: 07/24/1991)
08/12/1991	5	ANSWER by defendant John Walsh to pla's complaint (FE) (Entered: 08/13/1991)
08/12/1991	6	MOTION by defendant John Walsh to dismiss complaint for failure to state a cause of action agnst Dft upon which relief can be grtg (FE) (Entered: 08/13/1991)
08/12/1991	7	BRIEF (MEMORANDUM) by defendant John Walsh in support of motion to dismiss complaint for failure to state a cause of action agnst Dft upon which relief can be grtg [6-1] (FE) (Entered: 08/13/1991)
08/13/1991	8	PRAECIPE for and issued 1 Summs by plaintiff Dacre Beth Draper (FE) (Entered: 08/14/1991)
08/22/1991	9	RETURN OF SERVICE executed upon defendant John Walsh on 8/16/91 by serving Bd of Cty Comrs of Cleveland Cty by PPS (20 days) (FE) (Entered: 08/22/1991)
08/22/1991	10	RESPONSE by plaintiff Dacre Beth Draper to dfts motion to dismiss complaint for failure to state a cause of action agnst Dft upon which relief can be grtg [6-1] or in the alternative mtn of pla for lv to join Bd of Cty Comrs of Cleveland Cty as a pty-dft & mtn for lv to file amended compl & mtn of pla to strike defense (FE) (Entered: 08/22/1991)
08/22/1991	10	MOTION by plaintiff Dacre Beth Draper for leave to join Bd of Cty Comrs of Cleveland Cty as a pty-dft , and to amend complaint , and to strike defense (FE)

		(Entered: 08/22/1991)
09/05/1991	11	ORDER by Honorable Robin J. Cauthron denying pla's motion to strike defense [10-3] and granting dft's motion to dismiss complaint for failure to state a cause of action agnst Dft upon which relief can be grtg [6-1] dismissing party John Walsh (MICRO SEPTEMBER 91) (cc: all counsel) (FE) (Entered: 09/06/1991)
09/09/1991	12	AMENDED COMPLAINT [1-1] by plaintiff Dacre Beth Draper; jury demand adding Cleveland Cty Comrs, John Walsh (ar) (Entered: 09/10/1991)
09/09/1991	13	PRAECIPE for and issued 2 summ by plaintiff Dacre Beth Draper (ar) (Entered: 09/10/1991)
09/12/1991	14	ATTORNEY APPEARANCE for defendant John Walsh by John M Jacobsen (FE) (Entered: 09/12/1991)
09/12/1991	15	ORDER by Honorable Robin J. Cauthron that Pla have & recover an atty fee in the amt of \$25,550.(cc: all counsel) (FE) (Entered: 09/12/1991)
09/24/1991	16	RETURN OF SERVICE executed upon defendant John Walsh on 9/23/91 by PPS (20 days) (FE) (Entered: 09/25/1991)
09/24/1991	17	RETURN OF SERVICE executed upon defendant Cleveland Cty Comrs on 9/13/91 PPS (20 days) (FE) (Entered: 09/25/1991)
09/24/1991	18	ANSWER by defendant John Walsh to plaintiff's amended complaint (FE) (Entered: 09/25/1991)
09/26/1991	19	ANSWER by defendants to plaintiffs' amended petition (FE) (Entered: 09/27/1991)
10/11/1991		STATUS/SCHEDULING DOCKET ; status scheduling conf set for 11:30 11/7/91 (FE) (Entered: 10/15/1991)
11/06/1991	20	PRETRIAL SCHEDULING CONFERENCE MEMORANDUM (STATUS REPORT) by plaintiff and defendants (FE) (Entered: 11/07/1991)
11/07/1991	21	SCHEDULING ORDER Honorable Robin J. Cauthron ; jury trial set for 3/1/92 ; Mtn to join add'l ptys/amend pldgs 12/1/91; Pla wit list 12/15/91; Dft wit list 12/15/91; Pla exh list 12/15/91, dft exh list 12/15/91; Pla final content 1/1/92, dft 5 days t/a; All stip 3/1/92; Mtns in limine 3/1/92; Joint stmt of cs 3/1/92; Req voir dire 3/1/92; Prop findings & conclusions 3/1/92; Pla's cnsl dir to initiate settlm disc now & rpt status by 1/15/92; Discovery set for 1/1/92 ;mtn filing ddl set for 1/15/92 ; pretrial order due 3/1/92 ; status scheduling conference held on 11:30 11/7/91 jury instr due : 3/1/92 voir dire requests due : 3/1/92 trial briefs due : 3/1/92 (cc: all counsel) (FE) (Entered: 11/12/1991)
11/19/1991	22	MOTION by defendant John Walsh for summary judgment (FE) (Entered: 11/20/1991)
11/20/1991	23	JOINT APPLICATION (MOTION) by plaintiff Dacre Beth Draper and defendant John Walsh to extend time to resp to disc req or to hold resp in abeyance until after SJ by John Walsh is ruled upon (FE) (Entered: 11/21/1991)
11/21/1991	24	ORDER by Honorable Robin J. Cauthron denying joint motion to extend time to resp to disc req or to hold resp in abeyance until after SJ by John Walsh is ruled

		upon [23-1] (cc: all counsel) (FE) (Entered: 11/22/1991)
11/27/1991	25	RESPONSE in opposition by plaintiff Dacre Beth Draper to dft John Walsh's motion for summary judgment [22-1] (FE) (Entered: 11/27/1991)
11/27/1991	26	MOTION by plaintiff Dacre Beth Draper to compel as to dft Bd of Cty Comrs & br in supp (FE) (Entered: 11/27/1991)
12/05/1991	27	APPLICATION (MOTION) by plaintiff Dacre Beth Draper to strike the Mtn to compel filed by plaintiff on 11/27/91 as to dft Bd of Cty Comrs of Cleveland Cty only (FE) (Entered: 12/06/1991)
12/06/1991	28	ORDER by Honorable Robin J. Cauthron striking pla's motion to compel as to dft Bd of Cty Comrs & br in supp [26-1] (cc: all counsel) (FE) (Entered: 12/10/1991)
12/13/1991	29	LETTER RE WITNESS & exhibit list submitted by defendant John Walsh (FE) (Entered: 12/16/1991)
12/16/1991	30	LETTER RE WITNESS & exhibit list submitted by plaintiff Dacre Beth Draper (FE) (Entered: 12/17/1991)
12/17/1991	31	OBJECTIONS by plaintiff Dacre Beth Draper to dft Walsh's witness & exhibit list [29-1] (FE) (Entered: 12/18/1991)
12/17/1991	32	MEMORANDUM OPINION AND ORDER by Honorable Robin J. Cauthron denying dft Walsh's motion for summary judgment [22-1] (MORE FULLY SET OUT) (cc: all counsel) (FE) (Entered: 12/20/1991)
12/23/1991	33	SUPPLEMENT by plaintiff Dacre Beth Draper re witness & exhibit list [30-1] (FE) (Entered: 12/24/1991)
12/23/1991	34	OBJECTIONS by plaintiff Dacre Beth Draper to dft John Walsh & Bd of Comrs of Cleveland Cty's witness & exhibit list [29-1] (FE) (Entered: 12/24/1991)
12/23/1991	36	NOTICE OF APPEAL by defendant John Walsh from Dist. Court decision, Opinion and Order entered December 17, 1991. w/s [36-1] (92-6006) (hm) Modified on 01/16/1992 (Entered: 01/02/1992)
12/24/1991	35	NOTICE by defendant Cleveland Cty Comrs of taking deposition of Dacre Beth Draper (FE) (Entered: 12/24/1991)
12/31/1991		RECEIVED re appeal [36-1] fee in amount of \$ 105.00 (Receipt # 019753) (hm) (Entered: 01/02/1992)
01/02/1992	37	CLERK'S LETTER re: service of Notice of Appeal, with copy of letter, Notice of Appeal and docket sheet as preliminary record mailed to CCA and counsel (hm) (Entered: 01/02/1992)
01/06/1992	38	FINAL CONTENTIONS by defendant John Walsh (FE) (Entered: 01/07/1992)
01/06/1992	39	FINAL CONTENTIONS by defendant Cleveland Cty Comrs and defendant John Walsh as sheriff of Cleveland Cty (FE) (Entered: 01/07/1992)
01/06/1992	41	NOTICE of Transcript Order Form by dft (Jacobsen) a transcript is not necessary, cc: CCA and counsel (FE) (Entered: 01/08/1992)

01/07/1992	40	FINAL CONTENTIONS by plaintiff Dacre Beth Draper (FE) (Entered: 01/07/1992)
01/08/1992	42	CLERK'S letter to CCA and counsel advising a transcript is not necessary and the record on appeal is ready to transmit (FE) (Entered: 01/08/1992)
01/10/1992	43	MOTION by plaintiff Dacre Beth Draper for partial summary judgment as to the issue of liability only & supp br (FE) (Entered: 01/13/1992)
01/21/1992	44	ORDER by Honorable Robin J. Cauthron Administrative Closing: That Clerk administratively terminate this action without prejudice to the rights of the parties to reopen for entry of any stipulation or order; if parties have not reopened within 90 days to obtain final determination, action will be deemed dismissed with prejudice (MICRO JANUARY 92) (cc: all counsel) (FE) (Entered: 01/24/1992)
02/20/1992	45	CCA'S certified copy of order (re: consideration of the joint motion withdrawing appeal, it is ordered appeal be and is dismissed; each party shall bear its own costs (Hoecker) #92-6006 (FE) (Entered: 02/20/1992)
04/30/1992	46	JUDGMENT: by Honorable Robin J. Cauthron: That plaintiff have and recover judgment against the defendant for \$20,000.00 with interest thereon from March 30, 1992, at the statutory rate. (cc: all counsel) (hm) (Entered: 05/01/1992)
05/04/1992	48	ASSIGNMENT OF JUDGMENT of plf Dacre Beth Draper (cc: all counsel) (hm) (Entered: 05/07/1992)
05/04/1992	49	ORDER directing preparation of certification of registration for filing in a separate district by Honorable Wayne E. Alley (cc: all counsel) (hm) (Entered: 05/07/1992)
05/07/1992	47	AMENDED JOURNAL ENTRY OF JUDGMENT: by Honorable Wayne E. Alley; that plf have and recover judgment against the dft for \$20,000.00 with interest thereon from March 30, 1992, at the statutory rate. (cc: all counsel) (hm) (Entered: 05/07/1992)

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