

**U.S. District Court  
District of South Dakota (Central Division)  
CIVIL DOCKET FOR CASE #: 3:20-cv-03013-KES**

Estes et al v. Hughes County, South Dakota et al  
Assigned to: U.S. District Judge Karen E. Schreier  
Cause: 42:1983 Civil Rights Act - Civil Action for  
Deprivation of Rights

Date Filed: 07/17/2020  
Jury Demand: Plaintiff  
Nature of Suit: 550 Prisoner Petitions -  
Civil Rights  
Jurisdiction: Federal Question

**Plaintiff**

**Valerie Estes**  
*as the Special Administrator of  
the Estate of Seryl Leroy Pomani*  
*TERMINATED: 07/26/2021*

represented by **Stephanie E. Pochop**  
Johnson Pochop & Bartling Law Office  
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Gregory, SD 57533  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Frances Crockett Carpenter**  
Law Office of Frances Crockett  
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**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Estate of Seryl Leroy Pomani**

represented by **Stephanie E. Pochop**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**David R. Gienapp**  
*as the Special Administrator of the  
Estate of Seryl Leroy Pomani*

represented by **Stephanie E. Pochop**  
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*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Frances Crockett Carpenter**  
(See above for address)  
*PRO HAC VICE  
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V.

**Defendant**

**Hughes County, South Dakota**

represented by **Douglas A. Abraham**

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503 South Pierre Street  
Pierre, SD 57501  
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**Robert B. Anderson**

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*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**Jaclyn Lowitz**

*in her individual and official capacity*

represented by **Jack H. Hieb**

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*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**Julie Cox**  
*in her individual and official capacity*

represented by **Daniel F. Duffy**  
Bangs, McCullen, Butler, Foye &  
Simmons  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Matthew D. Murphy**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Bill Dodge**  
*in his individual and official capacity*

represented by **Douglas A. Abraham**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Robert B. Anderson**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Mike Leidholt**  
*in his individual and official capacity*

represented by **Douglas A. Abraham**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Robert B. Anderson**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Defendant Does 1-5**  
*in their individual and official capacities*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
07/17/2020	<a href="#">1</a>	<b>COMPLAINT with Jury Demand, (\$400 fee paid, receipt# 0869-3351810) filed by Estate of Seryl Leroy Pomani, Valerie Estes. (CLR) (Entered: 07/20/2020)</b>
07/20/2020	<a href="#">2</a>	Summons Issued as to Julie Cox, Bill Dodge, Hughes County, South Dakota, Mike Leidholt, Jaclyn Lowitz. 5 Summons(es), a Rule 73 Memo, and AO 85s for each party delivered to plaintiff's counsel via electronic delivery. (Attachments: # <a href="#">1</a> Summonses Issued, # <a href="#">2</a> AO 85)(CLR) (Entered: 07/20/2020)
07/22/2020	<a href="#">3</a>	ORDER OF RECUSAL. Chief Judge Roberto A. Lange recused. Signed by Chief Judge Roberto A. Lange on 07/22/2020. (LH) (Entered: 07/22/2020)
07/30/2020	<a href="#">4</a>	ORDER REASSIGNING CASE. Case reassigned to U.S. District Judge Karen E. Schreier for all further proceedings. Signed by U.S. District Judge Karen E. Schreier on 7/30/20. (SLW) (Entered: 07/30/2020)
08/25/2020	<a href="#">5</a>	<b>AMENDED COMPLAINT, with Jury Demand filed by Estate of Seryl Leroy Pomani. (Pochop, Stephanie) (Entered: 08/25/2020)</b>
08/25/2020	<a href="#">6</a>	REQUEST for Issuance of Amended Summons by Plaintiff Estate of Seryl Leroy Pomani (Pochop, Stephanie) (Entered: 08/25/2020)
08/25/2020	<a href="#">7</a>	MOTION for Attorney Frances Crockett Carpenter to be Admitted Pro Hac Vice (paid \$100 PHV fee; receipt number 0869-3379518) by Estate of Seryl Leroy Pomani. (Pochop, Stephanie) (Entered: 08/25/2020)
08/26/2020	<a href="#">8</a>	AMENDED Summons Issued as to All Defendants. 1 Summons delivered to plaintiff's counsel via electronic delivery. (SAC) (Entered: 08/26/2020)
08/26/2020	<a href="#">9</a>	ORDER granting <a href="#">7</a> Motion for Admission Pro Hac Vice of Attorney Frances Crockett Carpenter for Estate of Seryl Leroy Pomani, Frances Crockett Carpenter for Valerie Estes. Signed by U.S. District Judge Karen E. Schreier on 08/26/2020. (MSB) (Entered: 08/26/2020)
09/08/2020	<a href="#">10</a>	ACKNOWLEDGEMENT OF SERVICE Executed <i>HUGHES COUNTY</i> Acknowledgement filed by Valerie Estes. (Pochop, Stephanie) (Entered: 09/08/2020)
09/08/2020	<a href="#">11</a>	ACKNOWLEDGEMENT OF SERVICE Executed <i>JULIE COX</i> Acknowledgement filed by Valerie Estes. (Pochop, Stephanie) (Entered: 09/08/2020)
09/08/2020	<a href="#">12</a>	ACKNOWLEDGEMENT OF SERVICE Executed <i>BILL DODGE</i> Acknowledgement filed by Valerie Estes. (Pochop, Stephanie) (Entered: 09/08/2020)
09/08/2020	<a href="#">13</a>	ACKNOWLEDGEMENT OF SERVICE Executed <i>MIKE LEIDHOLT</i> Acknowledgement filed by Valerie Estes. (Pochop, Stephanie) (Entered: 09/08/2020)
09/11/2020	<a href="#">14</a>	NOTICE of Appearance by Douglas A. Abraham on behalf of Bill Dodge, Hughes County, South Dakota, Mike Leidholt. (Abraham, Douglas) (Entered: 09/11/2020)

		09/11/2020)
09/14/2020	<a href="#">15</a>	NOTICE of Appearance by Robert B. Anderson on behalf of Bill Dodge, Hughes County, South Dakota, Mike Leidholt. (Anderson, Robert) (Entered: 09/14/2020)
09/17/2020	<a href="#">16</a>	NOTICE of Appearance by Jack H. Hieb on behalf of Jaclyn Lowitz. (Hieb, Jack) (Entered: 09/17/2020)
09/18/2020	<a href="#">17</a>	<b>MOTION to DISMISS for Failure to State a Claim by Bill Dodge, Hughes County, South Dakota, Mike Leidholt. (Abraham, Douglas) (Entered: 09/18/2020)</b>
09/18/2020	<a href="#">18</a>	MEMORANDUM in Support re <a href="#">17</a> MOTION to DISMISS for Failure to State a Claim filed by Bill Dodge, Hughes County, South Dakota, Mike Leidholt. (Abraham, Douglas) (Entered: 09/18/2020)
09/18/2020	<a href="#">19</a>	AFFIDAVIT in Support re <a href="#">17</a> MOTION to DISMISS for Failure to State a Claim filed by Bill Dodge, Hughes County, South Dakota, Mike Leidholt. (Attachments: # <a href="#">1</a> Exhibit A - Personnel Services Agreement) (Abraham, Douglas) (Entered: 09/18/2020)
09/21/2020	<a href="#">20</a>	ACKNOWLEDGEMENT OF SERVICE Executed as to <a href="#">5</a> Amended Complaint Acknowledgement filed by Jaclyn Lowitz. (Hieb, Jack) (Entered: 09/21/2020)
09/22/2020	<a href="#">21</a>	NOTICE of Appearance by Matthew D. Murphy on behalf of Julie Cox. (Murphy, Matthew) (Entered: 09/22/2020)
09/25/2020	<a href="#">22</a>	<b>MOTION to DISMISS by Julie Cox. (Murphy, Matthew) (Entered: 09/25/2020)</b>
09/25/2020	<a href="#">23</a>	MEMORANDUM in Support re <a href="#">22</a> MOTION to DISMISS filed by Julie Cox. (Murphy, Matthew) (Entered: 09/25/2020)
09/28/2020	<a href="#">24</a>	<b>MOTION to DISMISS CLAIMS MADE AGAINST HER IN COUNTS III, IV, V, AND VI OF AMENDED COMPLAINT by Jaclyn Lowitz. (Hieb, Jack) (Entered: 09/28/2020)</b>
09/28/2020	<a href="#">25</a>	BRIEF by Defendant Jaclyn Lowitz re <a href="#">24</a> <b>MOTION to DISMISS CLAIMS MADE AGAINST HER IN COUNTS III, IV, V, AND VI OF AMENDED COMPLAINT (Hieb, Jack) (Entered: 09/28/2020)</b>
10/09/2020	<a href="#">26</a>	MEMORANDUM in Opposition re <a href="#">17</a> MOTION to DISMISS for Failure to State a Claim filed by Estate of Seryl Leroy Pomani. (Pochop, Stephanie) (Entered: 10/09/2020)
10/16/2020	<a href="#">27</a>	MEMORANDUM in Opposition re <a href="#">22</a> MOTION to DISMISS by Julie Cox filed by Estate of Seryl Leroy Pomani. (Pochop, Stephanie) (Entered: 10/16/2020)
10/19/2020	<a href="#">28</a>	REPLY to <a href="#">17</a> Motion to Dismiss for Failure to State a Claim <i>Reply Brief in Support</i> filed by Bill Dodge, Hughes County, South Dakota, Mike Leidholt. (Abraham, Douglas) (Entered: 10/19/2020)
10/19/2020	<a href="#">29</a>	MEMORANDUM in Opposition re <a href="#">24</a> MOTION to DISMISS <i>CLAIMS MADE AGAINST HER IN COUNTS III, IV, V, AND VI OF AMENDED COMPLAINT</i> filed by Estate of Seryl Leroy Pomani. (Pochop, Stephanie) (Entered: 10/19/2020)

10/30/2020	<a href="#">30</a>	REPLY MEMORANDUM in Support re <a href="#">22</a> MOTION to DISMISS filed by Julie Cox. (Murphy, Matthew) Modified Docket Text on 11/2/2020 (DLC). (Entered: 10/30/2020)
10/30/2020	<a href="#">31</a>	REPLY BRIEF in Support re <a href="#">24</a> MOTION to DISMISS <i>CLAIMS MADE AGAINST HER IN COUNTS III, IV, V, AND VI OF AMENDED COMPLAINT</i> filed by Jaclyn Lowitz. (Hieb, Jack) Modified Docket Text on 11/2/2020 (DLC). (Entered: 10/30/2020)
04/14/2021	<a href="#">32</a>	NOTICE of Appearance by Daniel F. Duffy on behalf of Julie Cox. (Duffy, Daniel) (Entered: 04/14/2021)
05/21/2021	<a href="#">33</a>	ORDER GRANTING DEFENDANTS' MOTION TO DISMISS COUNTS 3-6; granting <a href="#">17</a> Motion to Dismiss for Failure to State a Claim; granting <a href="#">22</a> Motion to Dismiss; granting <a href="#">24</a> Motion to Dismiss. Signed by U.S. District Judge Karen E. Schreier on 5/21/21. (SLW) (Entered: 05/21/2021)
06/07/2021	<a href="#">34</a>	Unopposed MOTION to Extend Deadlines <i>to Answer Amended Complaint</i> by Bill Dodge, Hughes County, South Dakota, Mike Leidholt. (Anderson, Robert) (Entered: 06/07/2021)
06/07/2021	<a href="#">35</a>	ORDER granting <a href="#">34</a> Motion to Extend Deadlines. Signed by U.S. District Judge Karen E. Schreier on 6/7/21. (SLW) (Entered: 06/07/2021)
07/26/2021	<a href="#">36</a>	<b>Second AMENDED COMPLAINT, with Jury Demand . (Pochop, Stephanie) (Entered: 07/26/2021)</b>

<b>PACER Service Center</b>			
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<b>Billable Pages:</b>	4	<b>Cost:</b>	0.40