

CLOSED

**United States District Court
Southern District of West Virginia (Bluefield)
CIVIL DOCKET FOR CASE #: 1:81-cv-01008**

Shaw, et al v. Belcher, et al
Assigned to: Judge Elizabeth V. Hallanan
Demand: \$600,000
Cause: 42:1983 Civil Rights Act

Date Filed: 02/06/1981
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil
Rights
Jurisdiction: Federal Question

Plaintiff

Jimmy R. Shaw

represented by **George Sitler**
Appalachian Research and Defense
Fund, Inc.
P.O. Box 1049
Welch, WV 24801
304/436-8476
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John S. Whitelaw
APPALACHIAN RESEARCH AND
DEFENSE FUND, INC.
P. O. Box 5145
Beckley, WV 25801-7645
304/255-2660
TERMINATED: 07/10/1995
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Norman Googel
Appalachian Research and Defense
Fund, Inc.
P.O. Box 1049
Welch, WV 24801
304/436-8476
TERMINATED: 07/10/1995
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert S. Baker
APPALACHIAN RESEARCH AND
DEFENSE FUND, INC.
P. O. Box 5145
Beckley, WV 25801-7645
304/255-2660
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Plaintiff

Walter A. Foddrell

represented by **George Sitler**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John S. Whitelaw
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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

Plaintiff

Steven E. Lambert, Jr.

represented by **George Sitler**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John S. Whitelaw
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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

Plaintiff

Grover Shaw

represented by **George Sitler**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John S. Whitelaw
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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

Plaintiff**Roger Baker**

*individually and on behalf of all others
similarly situated*

represented by **George Sitler**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John S. Whitelaw

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

Norman Googel

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

V.

Defendant**Clark Belcher**

*individually and in his official capacity
as Sheriff of McDowell County, West
Virginia*
TERMINATED: 02/02/1993

represented by **Sarah N. Hall**
P. O. Box 907
Beckley, WV 25801
304/255-2332
TERMINATED: 02/02/1993
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Robert Blair**

*individually and in his official capacity
as McDowell County Commissioner*

represented by **Sarah N. Hall**
(See above for address)
TERMINATED: 07/31/1996
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sidney H. Bell

MCDOWELL COUNTY
PROSECUTING ATTORNEY'S
OFFICE
Suite 207
93 Wyoming Street
Welch, WV 24801-2434
304/436-8551
Fax: 436-8573
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Jennings B. Boyd**

individually and in his official capacity

represented by **Sarah N. Hall**
(See above for address)

as McDowell County Commissioner

*TERMINATED: 07/31/1996
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Sidney H. Bell
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Ronald L. Taylor
*individually and in his official capacity
as McDowell County Commissioner*

represented by **Sarah N. Hall**
(See above for address)
*TERMINATED: 07/31/1996
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Sidney H. Bell
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

McDowell County Commission

represented by **Sarah N. Hall**
(See above for address)
*TERMINATED: 07/31/1996
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Sidney H. Bell
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Eddie C. Beverly
*individually and in his official capacity
as chief jailor of the McDowell County
Jail*

represented by **Sarah N. Hall**
(See above for address)
*TERMINATED: 07/31/1996
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Sidney H. Bell
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Defendant

Harold B. Wolfe
*individually and in his official capacity
as chief field deputy of the McDowell
County Sheriff's Department*

represented by **Sarah N. Hall**
(See above for address)
*TERMINATED: 02/02/1993
LEAD ATTORNEY*

TERMINATED: 02/02/1993

ATTORNEY TO BE NOTICED

Defendant**Donald L. Hicks**

*individually and in his official capacity
as Sheriff of McDowell County, West
Virginia*

represented by **Sidney H. Bell**
P. O. Box 859
Welch, WV 24801
436-6280
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Michael Brooks**

*individually and in his official capacity
as chief field deputy of the McDowell
County Sheriff's Department*

represented by **Sidney H. Bell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**R. J. Allen**

*Assistant to the Sheriff of McDowell
County*

represented by **Sidney H. Bell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Interested Party**Ralph Justus**

represented by **Janice Binder**
APPALACHIAN RESEARCH AND
DEFENSE FUND, INC.
P. O. Box 1049
Welch, WV 24801-1049
304/436-8476
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Interested Party**W. Joseph McCoy**

Date Filed	#	Docket Text
08/20/1985		Case closed (cel) (Entered: 01/26/1993)
01/25/1993	103	MOTION by Jimmy R. Shaw, Walter A. Foddrell, Steven E. Lambert Jr., Grover Shaw, Roger Baker for substitution of parties (cel) (Entered: 01/26/1993)
01/25/1993	104	ORDER scheduling a hearing on 01/28/93, 10:30 a.m., Beckley, to address pltf's motion for substitution of parties & motion for TRO; directing defts to file a written memonradum addressing these motions by 01/28/93, 9:00 a.m. (signed by Judge Elizabeth V. Hallanan) (cc: attys) (cel) (Entered: 01/26/1993)
01/26/1993		This case was closed before being entered completely into the automated

		system. For previous entries, check the manual docket sheet. (cel)
02/02/1993	105	AGREED ORDER granting [103-1] motion for substitution of parties & a preliminary injunction; substituting Donald L. Hicks for R. J. Allen as Sheriff of McDowell Co., Michael Brooks for Barry D. Hale as Chief Field Deputy, & R. J. Allen to remain as a party defendant since he has been appointed as Asst. to Sheriff of McDowell Co.; defts. agree to be preliminarily enjoined: from paying off any correctional officer & jail staff; from reducing the salaries of any correctional officer & jail staff; from closing the jail's 3rd floor & from ceasing to house female inmates; defts. agree that McDowell Co. Commission & not Sheriff of McDowell Co. remain responsible for the administration & superintendence of the McDowel Co. Jail & shall be preliminarily enjoined from altering responsibility; pltf's. have not waived their right to file appl. for atty's fees. (signed by Judge Elizabeth V. Hallanan) (cc: attys) (pss)
03/10/1993	106	MOTION by Jimmy R. Shaw, Walter A. Foddrell, Steven E. Lambert Jr., Grover Shaw, Roger Baker to Hold Dfts. in Contempt of Court for blatantly violating prev. orders of this court (mjp)
03/12/1993	107	REPLY by Robert Blair, Jennings B. Boyd, Ronald L. Taylor, McDowel Co. Comm., Eddie C. Beverly, Donald L. Hicks, Michael Brooks, R. J. Allen to [106-1] motion to Hold Dfts. in Contempt of Court by Roger Baker, Grover Shaw, Steven E. Lambert Jr., Walter A. Foddrell, Jimmy R. Shaw (mjp)
04/05/1993	108	ORDER: matter before Court via pltf's.' mot. to hold dfts. in contempt; ORDERED counsel & individual dfts. shall meet w/in 14 days to attempt to resolve their disputes; further ORDERED counsel shall then file separate reports indicating results of their negotiations w/in 10 days from date of their meeting; if parties unable to resolve their disputes & request a hrg. thereon, they shall certify in their reports that they met in good faith, etc. (signed by Judge Elizabeth V. Hallanan) (cc: attys) (mjp)
04/26/1993	109	STATUS REPORT by Jimmy R. Shaw, Walter A. Foddrell, Steven E. Lambert Jr., Grover Shaw, Roger Baker (pss) (Entered: 04/27/1993)
04/28/1993	110	STATUS REPORT by McDowel Co. Comm. President Bobby Lewis, McDowell Co. Sheriff Donald L. Hicks (pss)
05/14/1993	111	ORDER, set Evidentiary Hearing for 2:00 6/21/93 in Beckley (signed by Judge Elizabeth V. Hallanan) (cc: attys & Joseph McCoy) (pss) Modified on 05/14/1993
05/21/1993	112	MOTION by Jimmy R. Shaw, Walter A. Foddrell, Steven E. Lambert Jr., Grover Shaw, Roger Baker for injunctive relief, restraining the defts. from retaliating against any inmate/employee for exercising their rights or attempting to comply with previous orders of this court (pss) Modified on 05/24/1993 (Entered: 05/24/1993)
05/24/1993	113	PETITION/MOTION by Jimmy R. Shaw, Walter A. Foddrell, Steven E. Lambert, Jr., Grover Shaw, Roger Baker for writ of habeas corpus ad testificandum for Walter Church, Ralph Justus, Ralph Justice, Gerald

		Brown, Walter Lester & Samuel Mitchem to be made available for hrg. on 6/21/93 (pss) Modified on 05/25/1993 (Entered: 05/25/1993)
06/04/1993	114	PETITION/MOTION by Jimmy R. Shaw, Walter A. Foddrell, Steven E. Lambert Jr., Grover Shaw, Roger Baker for writ of habeas corpus ad testificandum (pss) (Entered: 06/07/1993)
06/11/1993	115	MOTION by Ralph Justus for Ex Parte Temporary Restraining Order prohibiting defts. from failing to enable pltf. (Ralph Justus) to undergo examination prior to 6/17/93 & from failing to transport pltf. (Ralph Justus) to his scheduled appt. w/ neurologist on 6/17/93 with Affidavit. (pss) (Entered: 06/14/1993)
06/14/1993	116	MOTION by Ralph Justus for emergency contempt of this court's 4/11/83 order which requires that defts. provide to pltf's. access to all reasonable & necessary medical & health care services (pss) (Entered: 06/15/1993)
06/14/1993	117	PETITION/MOTION by Jimmy R. Shaw, Walter A. Foddrell, Steven E. Lambert Jr., Grover Shaw, Roger Baker for amended writ of habeas corpus ad testificandum filed 5/24/93 (pss) (Entered: 06/15/1993)
06/14/1993	118	PETITION/MOTION by Jimmy R. Shaw, Walter A. Foddrell, Steven E. Lambert Jr., Grover Shaw, Roger Baker, Ralph Justus for writ of habeas corpus ad testificandum for Ralph Justus to permit his preparation & testimony in the hrg. of pltf's' mot. for emergency contempt (pss) (Entered: 06/15/1993)
06/15/1993	119	ADDENDUM to pltf's motion for emergency contempt. (pss) (Entered: 06/16/1993)
06/15/1993	120	ORDER striking motion for an ex parte TRO from record; granting [118-1] motion for writ of habeas corpus ad testificandum for Ralph Justus to permit his preparation & testimony in the hrg. of pltf's' mot. for emergency contempt; directing defts. to transport Ralph Justus to hrg. by 10:30 a.m. 6/16/93 to confer with counsel; Motion Hearing set for 11:00 6/16/93 for [116-1] motion for emergency contempt of this court's 4/11/83 order which requires that defts. provide to pltf's. access to all reasonable & necessary medical & health care services (signed by Judge Elizabeth V. Hallanan) (cc: mailed & faxed attys & to Mr. W. Joseph McCoy) (pss) (Entered: 06/16/1993)
06/15/1993	121	ORDER granting [114-1] motion for writ of habeas corpus ad testificandum, granting [113-1] motion for writ of habeas corpus ad testificandum for Walter Church, Ralph Justus, Ralph Justice, Gerald Brown, Walter Lester & Samuel Mitchem to be made available for hrg. on 6/21/93; directing defts. to transport inmates of McDowell Co. Jail (Walter Church, Ralph Justus, Ralph Justice, Gerald Brown, Walter Lester & Samuel Mitchem) to hrg. by 1:30 p.m. to meet with counsel; directing Warden at Moundsville to transport Roger Bailey, John Martin, Clayton Safford & Jimmy Browning to hrg. by 1:30 p.m. to meet with counsel (signed by Judge Elizabeth V. Hallanan) (cc: mailed & faxed to attys, George Trent & W. Joseph McCoy) (pss) (Entered: 06/16/1993)

06/16/1993	122	ORDER granting [117-1] motion for amended writ of habeas corpus ad testificandum filed 5/24/93; amending order of 6/15/93 to delete Walter Lester & Samuel Mithcem & to add Carl Brewster & John Church to list of inmates to be transported from McDowell Co. Jail to hrg. on 6/21/93 (signed by Judge Elizabeth V. Hallanan) (cc: mailed & faxed attys & USM) (pss) (Entered: 06/18/1993)
06/16/1993	123	ORDER ordering defts. to transport Ralph Justus for a neurological exam on 6/17/93, 2:00 p.m. with Dr. Rana (signed by Judge Elizabeth V. Hallanan) (cc: attys) (pss) (Entered: 06/18/1993)
06/16/1993		Motion hearing held re: [116-1] motion for emergency contempt of this court's 4/11/83 order which requires that defts. provide to pltfs. access to all reasonable & necessary medical & health care services by Ralph Justus (pss) (Entered: 06/18/1993)
06/21/1993		COURT PROCEEDING Motion for Contempt; JUDGE Hallanan; COURT REPORTER Lisa Stewart (mjp) Modified on 06/23/1993 (Entered: 06/23/1993)
06/22/1993	124	Witness list by Jimmy R. Shaw, Walter A. Foddrell, Steven E. Lambert Jr., Grover Shaw, Roger Baker for hrg. held 6/21/93 on motion for contempt before Hon. Elizabeth V. Hallanan in Bkly. (mjp) (Entered: 06/23/1993)
06/22/1993	125	Witness list by Robert Blair, Jennings B. Boyd, Ronald L. Taylor, McDowel Co. Comm., Eddie C. Beverly, Donald L. Hicks, Michael Brooks, R. J. Allen for hrg. held 6/21/93 on motion for contempt before Hon. Elizabeth V. Hallanan, in Bkly. (mjp) (Entered: 06/23/1993)
06/22/1993	126	Exhibit list by Jimmy R. Shaw, Walter A. Foddrell, Steven E. Lambert Jr., Grover Shaw, Roger Baker with 14 exhibits attached which were admitted at hrg. on motion for contempt held 6/21/93 (mjp) (Entered: 06/23/1993)
06/23/1993	127	ORDER: hrg. held 6/21/93 on pltfs.' mot. for contempt; court informed parties that it would take matter under advisement; Court appointed Mr. W. Joseph McCoy to conduct inspection of McDowell Co. Jail & submit written report w/in 15 days hereof; Mr. McCoy shall submit any reasonable bill for his professional services to be paid by dfts. (signed by Judge Elizabeth V. Hallanan) (cc: attys) (mjp) Modified on 06/23/1993
07/02/1993	128	TRANSCRIPT filed for dates of 06/21/93 Re: hearing held before Judge Hallanan (Lisa Stewart) (cel) (Entered: 07/06/1993)
07/16/1993	129	ORDER: on 7/13/93, Ct. rec'd report of special monitor, Mr. W. Joseph McCoy, regarding McDowell Co. Correctional Center which is ORDERED FILED & copies mailed to all counsel of record; counsel shall have 14 days from entry date to file any desired response to report; Ct. will then proceed to rule upon pltfs.' mot. for contempt (copies to counsel & copy of Mr. McCoy's report to Hon. Booker T. Stephens (signed by Judge Elizabeth V. Hallanan) (cc: attys) (mjp)

07/16/1993	130	REPORT OF SPECIAL MONITOR/McDOWELL COUNTY CORRECTIONAL CENTER (mjp)
07/30/1993	131	RESPONSE of pltfs' to report of special monitor W. Joseph McCoy, dated 7/8/93 (pss) (Entered: 08/02/1993)
08/05/1993	132	SUPPLEMENTAL RESPONSE of pltfs' to report of special monitor W. Joseph McCoy, dated 07/08/93 (cel) (Entered: 08/06/1993)
08/09/1993	133	PARTIAL TRANSCRIPT filed for dates of 6/21/93 Re: hrg. before Judge Hallanan (pss) (Entered: 08/11/1993)
08/10/1993	134	LETTER from W. Joseph McCoy to Judge Hallanan, dated 8/3/93, re: invoice requesting payment for services. (pss) (Entered: 08/11/1993)
08/10/1993	135	ORDER approving Mr. McCoy's bill; ordering defts. to pay Mr. McCoy in full (signed by Judge Elizabeth V. Hallanan) (cc: attys) (pss) (Entered: 08/11/1993)
10/21/1993	136	ORDER denying [112-1] motion for injunctive relief, restraining the defts. from retaliating against any inmate/employee for exercising their rights or attempting to comply with previous orders of this court; adopting W. Joseph McCoy's recommendations: the McDowell Co. Commission be continued as Responsible Agency; the commission assist the Sheriff in redefinig where primary resonsibility for the transportation & escort of inmates resides; the commission immediately take steps to insure that lower local telephone rates are provided to inmates; prosecutor & administrator confer w/ State Police/local law enforcement agencies so that in times of emergency, procedures re. command, use of force, weapons & chemical agents are mutually & already understood; McDowell Co. Correctional Officer Civil Service Commission continue its diligent efforts to quickly fill any vacancies presently existing or those arising in the future in its membership; Civil Service Commission expedite providing for correctional officer promotion exams.; appt. of monitor made in order to make monthly inspections; conditions to be immediately implemented & complied with in accordance of McCoy's report; appointing McCoy as monitor to make mo. inspections of jail; McCoy to submit fee requests to Court for approval which will be submitted to Commission for payment (signed by Judge Elizabeth V. Hallanan) (cc: attys) (pss) (Entered: 10/22/1993)
11/12/1993	137	LETTER from Mayor of Welch to Mr. Laidley Eli Mccoy, dated 09/20/93 , re: E.P.A. grant increase (cel)
11/16/1993	138	ORDER dismissing as moot [106-1] motion to Hold Dfts. in Contempt of Court (signed by Judge Elizabeth V. Hallanan) (cc: attys) (pss)
11/16/1993	139	ORDER ordering attys. to respond to letter dated 11/8/93 from Dana E. Schultz to Judge Hallanan within 10 days (signed by Judge Elizabeth V. Hallanan) (cc: attys with copy of attached letter) (pss)
11/22/1993	140	LETTER from Elizabeth V. Hallanan to Boyce Griffith, dated 11/19/93, re: Fayette Co. & Cabell Co. Jails' lower rate telephone service. (pss)

11/26/1993	141	CERTIFICATE OF SERVICE by Jimmy R. Shaw, Walter A. Foddrell, Steven E. Lambert Jr., Grover Shaw, Roger Baker for pltfs' response to Court's 11/15/93 order. (pss)
11/26/1993	142	CERTIFICATE OF SERVICE by Jimmy R. Shaw, Walter A. Foddrell, Steven E. Lambert Jr., Grover Shaw, Roger Baker for pltfs' request for production of docs. (pss)
12/07/1993	143	ORDER vacating order entered 11/16/93 due to most recent letter received from the Public Service Commission; directing the attention of the McDowell Co. Commission to letter's portion re. a waiver of PSC's rule upon request from the Commission; urging all parties to cooperate in reaching a prompt & efficient resolution; with attached letter dated 12/3/93. (signed by Judge Elizabeth V. Hallanan) (cc: attys) (pss) (Entered: 12/08/1993)
12/29/1993	144	ORDER directing dfts. to pay Mr. W. Joseph McCoy's request for pmt. for services rendered as monitor pur to Order entered 10/22/93 (copy of bill attached) in full (signed by Judge Elizabeth V. Hallanan) (cc: attys. & W. Joseph McCoy)(mjp) Modified on 12/29/1993
04/20/1994	145	ORDER: Ordered Defendants to pay Mr. W. Joseph McCoy in full for executing his duties under the 10/22/93 Order to make monthly inspections. Further Ordered Defendants to provide payment for expenses incurred for use of telephone services per attached bill. (signed by Judge Elizabeth V. Hallanan) (cc: attys & W. Joseph McCoy) (smp) Modified on 04/21/1994
05/04/1994	146	ORDER following changes be implemented immediately (see Order for more detail); Orders County Commission & County Prosecutor to submit to Court a status report within 14 days & subsequent reports to be filed monthly; Court directs all parties to submit proposed Agreed Consolidated Final Order for possible approval within 14 days; Defendants have 10 days to make modifications or additions and final Order submitted to Court no later than 6/3/94. Consolidated Inspection Report of McDowell County Correctional Center for December 1993-February 1994 attached to Order. (signed by Judge Elizabeth V. Hallanan) (cc: Order w/attached Report to attys & Peggy Blevins, Order only to W. Joseph McCoy) (smp) (Entered: 05/05/1994)
05/20/1994	147	STATUS REPORT by Clark Belcher, Robert Blair, Jennings B. Boyd, Ronald L. Taylor, McDowel Co. Comm., Eddie C. Beverly, Harold B. Wolfe, Donald L. Hicks, Michael Brooks & R. J. Allen (smp) Modified on 05/23/1994 (Entered: 05/23/1994)
07/22/1994	148	ORDER approving Mr. McCoy's invoice for payment of expenses incurred through use of the telephone service available at his office at Marshall University; ordering defts. to make payment in full within 14 days of entry of this Order, further directing defts. to make payment according to instructions contained in Mr. McCoy's attached letter/invoice; monetary sanctions shall be imposed for failure to make full payment. (signed by Judge Elizabeth V. Hallanan) (cc: Order and

		copy of letter/invoice to attys) (smp) Modified on 07/22/1994
10/27/1994	149	ORDER approving the invoice of W. Joseph McCoy for expenses incurred while acting as the Court's Monitor for the McDowell Co. Jail, and directing Defts. to provide pymt. in full within 14 days of the entry of this Order. Defts. are directed to make said pymt. in accordance with the instructions contained in Mr. McCoy's letter/invoice. (signed by Judge Elizabeth V. Hallanan) (cc: attys, with copy of Mr. McCoy's letter/invoice attached) (slr)
10/27/1994	150	LETTER/INVOICE of W. Joseph McCoy detailing expenses incurred as monitor for the McDowell Co. Jail (slr)
11/02/1994	151	ORDER directing the Defts. to take the following actions: (1) Provide medical certification and re-certification training for correctional officers; (2) develop a true written comprehensive medical services plan; (3) make necessary improvements related to fire safety, smoke detectors and emergency lighting; (4) formal communications shall be issued in directive form and the directives maintained in a comprehensive and contemporary manner; (5) post this Order in the McDowell Co. Jail prominently so that correctional staff and inmates may read its contents; (6) submit to the Court a status report on the progress made w/regard to the proposed Agreed Consolidated Final Order; Defts. shall submit this report w/i 14 days of entry of this Order. (signed by Judge Elizabeth V. Hallanan) (cc: attys, the McDowell Co. Comm, the McDowell Co. Jail Administrator, W. Joseph McCoy) (slr)
06/20/1995	152	ORDER: On 5/16/95, the Court received the report of its special monitor, regarding the McDowell Co. Correctional Center. It is hereby ORDERED that such report be filed and a copy mailed to all counsel of record. The Court hereby ORDERS that all parties and counsel are to appear before this Court on 7/13/95 at 1:30 p.m. for the purpose of a hearing. (signed by Judge Elizabeth V. Hallanan) (cc: attys & to Mr. Joseph W. McCoy) (received from Beckley on 6/20/95) (gbw) Modified on 06/20/1995
06/20/1995	153	Consolidated Inspection Report of McDowell County Correctional Center, submitted by Mr. W. Joseph McCoy. (recieved from Beckley on 6/20/95) (gbw) Modified on 06/20/1995
07/10/1995	154	ORDER rescheduling the Hearing in this matter, previously scheduled for 7/13/95, at 1:30 p.m., to be held at 10:30 a.m., 7/14/95 (signed by Judge Elizabeth V. Hallanan) (cc: attys) (slr)
07/14/1995		Status Conference held (Judge Elizabeth V. Hallanan ; Court Reporter: Lisa Stewart, 37 mins.) (rle)
07/14/1995	155	ORDER: parties appeared for hearing on the status of McDowell County Commission/McDowell County Jail's compliance with the orders of this court. Counsel for defts advised installation of a heating & cooling system for the jail was beginning today; Mr. Bell is to submit to the Court, through Mr. Mccoy, a report immediately upon initial payment to the contractor. Parties to submit to this court w/in 10 days a proposed Agreed

		Consolidated Final Order. (signed by Judge Elizabeth V. Hallanan) (cc: attys, W. Joseph McCoy, William Bowman) (rle)
07/20/1995	156	NOTICE of Attorney Appearance for Jimmy R. Shaw, Walter A. Foddrell, Steven E. Lambert Jr., Grover Shaw, Roger Baker by George Sitler and Robert S. Baker (rle)
07/20/1995	157	JOINT MOTION by Jimmy R. Shaw, Walter A. Foddrell, Steven E. Lambert Jr., Grover Shaw, Roger Baker, Robert Blair, Jennings B. Boyd, Ronald L. Taylor, McDowel Co. Comm., Eddie C. Beverly, Donald L. Hicks, Michael Brooks, R. J. Allen to Extend Time within which to submit the Agreed Consolidated Final Order (rle)
07/20/1995	158	ORDER granting [157-1] joint motion to Extend Time within which to submit the Agreed Consolidated Final Order, reset deadline to 8/25/95 (signed by Judge Elizabeth V. Hallanan) (cc: attys) (rle)
07/24/1995		NOTICE by US Postal Service of new box number for William Bowman, Jail Administrator: P. O. Box 306, Welch, WV 24801 (rle)
08/11/1995	159	ORDER: approving Mr. McCoy's invoice and ordering defts to provide payment in full within 14 days of the entry of this order. Approving the invoice for telephone expenses incurred by Mr. McCoy and ordering defts to provide payment in the same manner described above and in accordance w/instructions contained in the invoice. (signed by Judge Elizabeth V. Hallanan) (cc: attys) (rle)
02/14/1996	160	ORDER directing Deft. to provide payment in full within 14 days of entry of this order to W. Joseph McCoy for services rendered and expenses incurred as a result of conducting Court ordered inspections at the McDowell County Correctional Center during period of 7/95 through 12/95. (signed by Judge Elizabeth V. Hallanan) (cc: attys) (cds)
02/14/1996	161	LETTER/INVOICE of W. Joseph McCoy, Court's Monitor of the McDowell County Jail, in the amount of \$2,745.97 (cds)
02/20/1996	162	ORDER: approving Mr. Joseph McCoy's letter invoice for services rendered and directing defts to provide payment in full w/in 14 days of the entry of this order. (signed by Judge Elizabeth V. Hallanan) (cc: attys) (rle)
07/24/1996	163	ORDER approving invoice of Mr. McCoy and ordering Deft's to provide payment in full in 14 days of entry of this order. Deft's are further directed to make said payments in accordance w/the instructions contained in Mr. McCoy's letter/invoice, a copy of which is attached to the Order. Monetary sanctions shall be imposed for failure to make full payment. (signed by Judge Elizabeth V. Hallanan) (cc: w/Mr. McCoy's letter/invoice to attys and Mr. W. Joseph McCoy) (jwh)
07/31/1996	164	LETTER from Sarah N. Hall to USDC Clerk, dated 7/30/96 , re: Removal as Pros. Attorney as Sid Bell is the current Prosecutor. (jwh)
08/28/1996	165	ORDER approving invoice of Mr. W. Joseph McCoy and ordering Defts'. to make payment in full within 14 days of entry of this order. Defts. are

		further directed to make said payments in accordance w/instructions contained in Mr. McCoy's letter invoice (attached). (signed by Judge Elizabeth V. Hallanan) (cc: attys and Mr. W. Joseph McCoy w/attachment) (jwh)
10/23/1996	166	ORDER having been in receipt of letter from Deft. Hicks requesting McDowell County Jail be returned to the control of the Sheriff. Insofar as Deft. is represented by counsel this letter (considered to be a Motion) is not in proper form and should be submitted by his designated counsel w/accompanying supporting memorandum of law. The Court will not consider this request unless it is made in the appropriate manner. (signed by Judge Elizabeth V. Hallanan) (cc: attys and Joseph McCoy) (jwh) Modified on 10/24/1996
04/03/1997	167	INVOICE for services rendered and expenses incurred July 1996 through December 1996 totalling \$3673.35. (rle)
04/04/1997	168	ORDER upon submission of bill for services and pursuant to Order entered 11/22/93 the defts. are ordered to pay W. Joseph McCoy as monitor the amount on his bill, having been approved by the court, within 14 days of entry of this order. Monetary sanctions shall be imposed for failure to make full payment. (signed by Judge Elizabeth V. Hallanan) (cc: attys) (jwh) Modified on 04/07/1997
04/15/1997	169	ORDER releasing W. Joseph McCoy from his duties as monitor effective 5/1/97 and further ordering that the County Commission of McDowell County continue as the agency having direct responsibility for the jail's operation and continued compliance with the Court's Orders. (signed by Judge Elizabeth V. Hallanan) (cc: attys) (jwh)

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