

DIST.	OFF.	DOCKET		FILING DATE			J	N/S	O	D		R 23	\$ DEMAND	JUDGE/ MAG. NO.	COUNTY	JURY DEM.	DOCKET	
		YR.	NUMBER	MO	DAY	YEAR				PTF	DEF						YR.	NUMBER
1089	02	86	0310	09	02	86	3	440	1			x	Nearest \$1,000	J 8904 M	56007	P	86	0310

PLAINTIFFS

DEAN GINEST  
~~ROBERT WILLEY~~ 12-3-86  
 CLIFFORD DAVIS  
 RICK WRIGHT  
 DAVID CARPENTER  
 FRANK W. COOK  
 FRANK R. LOPEZ  
 individually and  
 on behalf of all  
 others similarly situated

DEFENDANTS

- 1 THE BOARD OF COUNTY COMMISSIONERS OF CARBON COUNTY, WYOMING
- 2 C. W. OGBURN, ~~Sheriff of Carbon County, in his individual and official capacities and~~
- 3 ~~ROBERT GRIEVE~~
- 4 JAMES A. YORK and 2-11-87
- 5 O. R. "BUD" DAILY, Carbon County Commissioners, in their individual and official capacities.
- 6 DONALD SHERROD, in his official capacity as Sheriff of Carbon Co.

CAUSE

(CITE THE U.S. CIVIL STATUTE UNDER WHICH THE CASE IS FILED AND WRITE A BRIEF STATEMENT OF CAUSE)

42:1983 Violation of 1st, 6th, 8th and 14th Amendments to Constitution.

wjf

ATTORNEYS

Jane A. Villemez  
~~CHARLES E. GRAVES AND ASSOCIATES~~  
 2020 Carey Avenue #118  
 Cheyenne WY 82001  
 (307) 638-8885

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 American Civil Liberties Union  
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 Denver CO 80222

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 Cheyenne, WY 82001

6 Kermit C. Brown  
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 Rawlins, WY 82301  
 307/324-7111

Carbon County Attorney  
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2 Richard Rideout  
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 P. O. Box 387  
 Cheyenne, WY 82003  
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1 3 4 5  
 K. Craig Williams  
 Deputy County and Prosecuting Attorney  
 P. O. Box 1740  
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1,3,4,5,6  
 K. Craig Williams  
 WILLIAMS KELLY & WALDRIP  
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 (307) 328-0619

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORM PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
	09-02-86	\$60.00		JS-5	
				JS-6	

DATE	NR.	PROCEEDINGS	C86-0310
09-02-86	1	CLASS ACTION COMPLAINT.	w
	2	JURY DEMAND.	w
	3	APPEARANCE of Jane A. Villemez for pltfs. Summons issued.	w w
9-9-86	4	NOTICE and acknowledgment for service by mail signed by C.W. Ogburn on 9-8-86	ds
9-11-86	5	APPEARANCE of Stephen Pevar as atty for pltfs	ds
09-17-86	6	ACKNOWLEDGMENT of service by mail by Board of County Commissioners of Carbon County, Wyoming on 9-16-86.	
	7	ACKNOWLEDGMENT of service by mail by O.R. "Bud" Daily on 9/16/86.	w
	8	ACKNOWLEDGMENT of service by mail by James A. York on 9/16/86.	w
	9	ACKNOWLEDGMENT of service by mail by Robert Grieve on 9/16/86.	w
9-18-86	10	NOTICE and ACKNOWLEDGMENT by Deft O.R. Daily on 9/16/86	
	11	NOTICE and ACKNOWLEDGMENT by Robert Grieve on 9/16/86	
	12	NOTICE and ACKNOWLEDGMENT by Board of County Commissioners on 9/16/86	
	13	NOTICE and ACKNOWLEDGMENT by James A. York on 9/16/86	
	14	SUMMONS w/return receipt on C. W. Ogburn on 9/5/86	b
9-19-86	15	MOTION for preliminary injunction	
	16	BRIEF in support of motion for preliminary injunction	b
9-29-86	17	ANSWER and affirmative defenses of deft C. W. Ogburn	b
9-30-86	18	ANSWER of the Board of County Commissioners of Carbon County, Wy	
	19	ANSWER of Robert Grieve, James A. York and . R. Daily in their official capacities	
	20	ANSWER of Robert Grieve, James A. York and O. R. Daily in their individual capacities	
	21	MOTION of defts Grieve, York and Daily for judgment on the pleadings	
	22	MEMORANDUM in support of motion for judgment on the pleadings by defts Grieve, York and Daily	
	23	MOTION of deft Board of County Commissioners of Carbon County for partial judgment on the pleadings	
	24	MEMORANDUM in support of motion for partial judgment on the pleadings by deft Board of County Commissioners	
	25	APPEARANCE of K. Craig Williams as atty for Board of County Comm., Grieve, York and Daily	
	26	APPEARANCE of Richard Rideout as atty for deft Ogburn	b

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>C86-0310</u>
DEAN GINEST, et al		BOARD OF COUNTY COMMISSIONERS et al	PAGE <u>3</u> OF <u>    </u> PAGES
DATE	NR.	PROCEEDINGS	
9-30-86	27	NOTICE setting IPT for 11-6-86 at 9:00 a.m. cy counsel 9-30-86	b
10-9-86	28	MOTION for enlargement of time within which to file written memoranda	b
	29	ORDER granting enlargment of time until 10-20-86 for written memoranda in opposition to defts' motions for judgment on the pleadings. cy counsel 10-9-86	b
10-20-86	30	MEMORANDUM of law in resistance to motion for judgment on the pleadings by defts Grieve, York and Daily	b
10-23-86	31	MOTION to amend complaint	b
11-3-86	32	NOTICE to take deposition of Dean Ginst, David Carpenter, Frank Lopez, Rick Wright, Clifford Davis	
10-31-86	33	ORDER granting leave to amend complaint. cy counsel 11-3-86	b
11-3-86	34	AMENDED CLASS ACTION COMPLAINT	
	35	APPLICATION to take depositions in penitentiary	b
11-6-86		INITIAL PRETRIAL CONFERENCE held	b
11-5-86	36	ORDER granting leave to take depositions in penitentiary. cy counsel 11-6-86 cy to Warden, of the Penitentiary	b
11-7-86	37	ANSWER to amended complaint by defts Board of County Commissioners, Robert Grieve, James A. York and O. R. Daily	b
11/13/86	38	ORDER ON INITIAL PRETRIAL CONFERENCE; Motion for Preliminary Injunction, Judgment on the pleadings, and for partial judgment is set for oral hearing before Judge Johnson 12/23/86 at 4:00 p.m, Pltf designate experts by 1/12/87, Deft designate experts by 2/13/87; Discovery cutoff is 3/13/87, Final Pretrial set for 3/31/87 at 8:30 a.m. in Cheyenne, WY before Judge Johnson, Jury Trial set for 5/4/87 at 9:30 a.m. in Cheyenne, WY (5 days)	
11-14-86	39	Pltfs MOTION to certify class.	w
	40	BRIEF in support of motion to certify class.	w
11-21-86	41	Pltfs' MOTION for partial summary judgment re mail	
	42	AFFIDAVIT of Tom Clapper	
	43	BRIEF in support of motion for partial summ judgment: mail	b
11-26-86	44	PRECIPE for subpoena. Issued	b

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. C86-310
DEAN GINEST		THE BOARD OF COUNTY COMMISSIONERS, et al	PAGE 4 OF _____ PAGES
DATE	NR.	PROCEEDINGS	
12-3-86	45	WITHDRAWAL OF ROBERT WILLEY AS a named pltf	b
12-18-86	46	Pltfs' MOTION for partial summary judgment Re Religious literature	
	47	BRIEF in support of plfs' motion for partial summary judgment re: religious literature	
	48	Pltfs' MOTION for partial summary judgment re recreation	
	49	BRIEF in support of pltfs' motion for partial summary judgment re recreation	b
12-19-86	50	CERTIFIED COPIES of the records of the County Court of Carbon County, Wyoming pertaining to state of Wyoming v Clapper	b
12-22-86	51	AFFIDAVIT of Donald Sherood	
	52	AFFIDAVIT of Donald J. Clemens	
	53	AFFIDAVIT of Dale Ross	b
12-23-86	54	SCHEDULING ORDER; motions to be heard at 1:30 p.m. on 1-30-87 in Cheyenne. cy counsel 12-23-86	b
12-23-86	55	pltf's MOTION to withdraw affidavit.	dn
12-29-86	56	MOTION for enlargement of time to file memorandum	
	57	SUBMISSION of affidavit of Frank W. Cook	
12-30-86	58	ORDER granting enlargement of time until 1-15-87 to file memorandum cy counsel 12-30-86	b
1-6-87	59	SUBMISSION of affidavit of Dean Ginst	
	60	SUBPOENA w/return on Wyatt Skaggs	b
1-7-87	61	MOTION of pltfs for substitutiona of party	b
1/12/87	62	MOTION for substitution of counsel	
	63	ORDER of substitution of party. mld 1/12/87	ds
1/12/87	64	Plfs' DESIGNATION of expert witness	b
1/15/87	65	MEMORANDUM of County Defts in opposition to motion for summary judgment re exercise	
	66	AFFIDAVIT of A. P. Kirsch, M.D.	
	67	AFFIDAVIT of Donald Clemens	b

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>C86-310</u>
DEAN GINEST, et al		BOARD OF COUNTY COMMISSIONERS	PAGE <u>5</u> OF <u>    </u> PAGES
DATE	NR.	PROCEEDINGS	
1-15-87	68	Pltfs' MOTION for partial sumamry judgment re visitation	
	69	BRIEF in support of motion re: visitation	
	70	Pltfs' RIGHT to injunctive relief	b
1/21/87	71	ORDER granting substitution of counsel, substituting the law firm of Williams, Kelly & Waldrip for the Carbon County Attorney's Office as counsel for defts Robert Grieve, James A. York and O. R. "Bud" Daily and Board of County Commissioners of Carbon County, Wyoming.	w
1/23/87	72	NOTICE take depositions of C.W. Ogburn, Donald Sherrod & Jim York	
1/26/87	72	AFFIDAVIT of Raymond Leidig, M.D.	
	74	MEMORANDUM in opposition to pltfs' motion for summary judgment concerning visitation	b
1/27/87	75	NOTICE to take deposition of Frank Cook	b
1/29/87	76	APPEARANCE of Kermit C. Brown as atty for deft Sherrod	b
	77	AFFIDAVIT of C. W. Ogburn	
	78	AFFIDAVIT of C. W. Ogburn	
		DEPOSITION of Clifford James Davis	b
1/30/87	79	Deft Osburn's MEMORANDUM in opposition to preliminary injunction declaratory relief and partial summary judgments	b
1-30-87	80	Hearing held on motions. COURTROOM MINUTE SHEET.	dn
2-2-87	81	NOTICE by pltfs to take depositions of Donald Clemens and Paul Jarrett.	dn
2-11-87	82	ORDER on motion for preliminary injunction relief; ordered that said motion be denied. cy counsel 2-11-87	
	83	ORDERED on motion of defts for judgment on the pleadings; ordered that deft's motion for judgment on the pleadings be granted as to the action against Robert Grieve, James A. York and O.R. "Bud" Daily, Carbon County Commissioners in their individual capacities; ordered that deft's motion for judgment on the pleadings against the Board of County Commissioners of Carbon County, Wyoming, in its official capacity should be denied; ordered that the caption be amended to strike "and Robert Grieve, James A. York and O.R. "Bud" Daily, Carbon County Commissioners, in their individual and official capacities" cy counsel 2-11-87	b

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>C86-310</u>
DEAN GINEST, et al		BOARD OF COUNTY COMM. et al	PAGE <u>6</u> OF <u>    </u> PAGES
DATE	NR.	PROCEEDINGS	
2-20-87	84	ORDER on motions for partial summary judgment; order denying pltf's motion for partial summary judgment cy counsel 2-20-87	
2-24-87	85	ORDER granting motion to certify class; ordered that pltf's motion to certify class is granted and this action is certified as a class action such class consisting of all present and future inmates of the Carbon County Jail. mailed 2-24-87. dn	
3-11-87	86	Pltfs' MOTION for partial summary judgment re attorney/client correspondence	
	87	BRIEF in support of motion re" attorney/client correspondence	
	88	Pltfs' MOTION for partial summary judgment re: strip searches	
	89	BRIEF in support of motion re: strip searches	
	90	Pltfs' MOTION for partial summary judgment re: access to the Court	
	91	BRIEF in support of motion re: access to the Courts b	
	92	Pltfs' MOTION for partial summary judgment re: disciplinary procedures	
	93	BRIEF in support of motion re: disciplinary procedures b	
3-13-87	94	pltfs' FILING of written discovery requests. dn	
3-17-87	95	NOTICE setting all pending motions to be heard at the time of the final pretrial conference on 3-31-87 at 8:30 a.m. cy counsel 3-17-87 b	
3-19-87	96	Deft Board of County Comm.'s BRIEF in opposition to plfs' motion for partial summary judgment concerning attorney-client corres., strip searches, access to the courts and disciplinary procedures b	
3-20-87	97	NOTICE resetting final pretrial and motions for 4-9-87 at 4:30 p.m. in Cheyenne. cy counsel 3-20-87 b	
3-23-87	98	deft Ogburn's MOTION for enlargement of time within which to file written memoranda. dn	
3-24-87	99	ORDER granting enlargement of time; ordered that memoranda may be filed by 3-27-87. mailed 3-24-87. dn	
3-26-87	100	Deft Ogburn's MOTION for summary judgment	
	101	MEMORANDUM in support of motion for summary judgment	
	102	AFFIDAVIT of deft Ogburn in support of motion for summary judg	
	103	AFFIDAVIT of Richard Rideout in support of motion for summary judg	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. C86-310
DEAN GINEST, et al		BOARD OF COUNTY COMMISSIONERS et al	PAGE 7 OF _____ PAGES
DATE	NR.	PROCEEDINGS	
3-27-87	104	Defts' MOTION for extension of time within which to conduct independent medical examination	
	105	Deft Ogburn's MEMORANDUM in opposition to pltfs' motions for partial summary judgment concerning strip searches, disciplinary procedures, access to courts and attorney-client correspondence	b
04-02-87	106	Pltf's PRETRIAL MEMORANDUM.	w
	107	Deft County's PRETRIAL MEMORANDUM.	
4-3-87	108	Deft Ogburn's PRETRIAL MEMORANDUM	b
4-6-87	109	Deft Sherrod's PRETRIAL MEMORANDUM	
		DEPOSITION of C. W. Ogburn	b
4-7-87	110	RESISTANCE to defts' motion for extension of time within which to conduct independent medical examination; motion for opportunity to present oral argument	
	111	Pltf's REPLY to Ogburn's motion for summary judgment	
	112	Pltfs' REPLY to County's brief	b
4-8-87	113	ORDER granting extension of time within which to conduct independent medical examination	b
4-9-87	114	Hearing on motions held. COURTROOM MINUTE SHEET	
		FINAL PRETRIAL CONFERENCE held	b
4-13-87	115	MOTION to amend complaint and BRIEF in support	b
4-14-87	116	ORDER granting pltf's motion to amend complaint cy counsel 4-14-87	b
4-15-87	117	PROPOSED CONSENT ORDER AND DECREE	b
4-16-87	118	OFFER of judgment	b
4-20-87	119	Deft Osburn's MEMORANDUM in opposition to motion for partial summary judgment re: strip searches	b
5-1-87	120	NOTICE to inmates.	
	121	STIPULATION and order regarding notice to inmates re: proposed consent decree; ordered that notice to inmates be conspicuously and continuously posted in the Carbon County Jail from 4-30-87 for a period of 45 days.	
		Pleadings #120 and #121 mailed 5-1-87.	dn

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ___ OF ___ PAGES
DATE	NR.	PROCEEDINGS	
7-29-87	122	CONSENT ORDER AND DECREE as compromise settlement of disputes between the parties, but does not pertain to pltfs' claims for damages against deft C. W. Ogburn and claim for damages against Board of County Commissioners of the County of Carbon. w	
11-25-87	123	REPORT of Sheriff of Carbon County pursuant to consent order and decree b	
7-27-88	124	ORDER closing file, subject to being reopened upon good cause shown (ABJ) EOD 7-27-88, cc 7-28-88. w	