

**U.S. District Court
Southern District of Alabama (Mobile)
CIVIL DOCKET FOR CASE #: 1:15-cv-00104-CG-N**

Searcy v. Davis
Assigned to: Judge Callie V. S. Granade
Referred to: Magistrate Judge Katherine P. Nelson
Cause: 28:2201 Constitutionality of State Statute(s)

Date Filed: 02/24/2015
Date Terminated: 03/26/2015
Jury Demand: None
Nature of Suit: 950 Constitutional – State Statute
Jurisdiction: Federal Question

Plaintiff

Cari D. Searcy

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V.

Defendant

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Date Filed	#	Docket Text
02/24/2015	<u>1</u>	COMPLAINT against Don Davis, filed by Cari D. Searcy. (Fee Paid; Receipt No. 34263) (Attachments: # <u>1</u> Exhibit A-C) (Kennedy, David) (Additional attachment(s) added on 2/24/2015: # <u>2</u> Civil Cover Sheet) (tot). Modified on 2/24/2015 (tot). (Entered: 02/24/2015)
02/24/2015	<u>2</u>	NOTICE of Filing Proposed Summons by Cari D. Searcy (Kennedy, David) (Entered: 02/24/2015)
02/24/2015		MOTION for Preliminary Injunction & MOTION for Permanent Injunction by Cari D. Searcy (SEE IMAGE AT DOC. <u>1</u>). (Referred to J/Granade on 2/24/15) (tot) (Entered: 02/24/2015)
02/24/2015	<u>3</u>	Summons Issued as to Don Davis. (NOTE TO COUNSEL: The Summons has been issued. Please print copies necessary for service.) (tot) (Entered: 02/24/2015)
02/24/2015	<u>4</u>	Service Notice entered 2/24/2015. Plaintiff to notify the Court the action taken to effect service and the results thereof. Service order deadline set to 4/10/2015. (tot) (Entered: 02/24/2015)
02/25/2015	<u>5</u>	SUMMONS Returned Executed by Cari D. Searcy. Don Davis served on 2/25/2015, answer due 3/18/2015 (Kennedy, David) (Entered: 02/25/2015)
02/25/2015	<u>6</u>	Order, setting Preliminary Injunction hearing for Monday, March 2, 2015 at 1:00 p.m., to be held in Courtroom 2B, United States Courthouse, Mobile, Alabama. Signed by Judge Callie V. S. Granade on 2/25/2015. (mab) (Entered: 02/25/2015)
02/26/2015	<u>7</u>	Notice of Filing Notice of service of appearance subpoena filed by Cari D. Searcy. (Kennedy, David) (Entered: 02/26/2015)
02/27/2015	<u>8</u>	MOTION to Dismiss by Don Davis. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit) (Satterwhite, Harry) (Entered: 02/27/2015)
02/27/2015		MOTIONS REFERRED: <u>8</u> MOTION to Dismiss referred to Judge Katherine P. Nelson. (tot) (Entered: 02/27/2015)
02/27/2015	<u>9</u>	Brief filed by Don Davis re <u>8</u> MOTION to Dismiss filed by Don Davis. (Satterwhite, Harry) (Entered: 02/27/2015)

02/27/2015		REFERRAL OF <u>9</u> Brief in Support of <u>8</u> Motion to Dismiss to Judge Granade. (mab) (Entered: 02/27/2015)
02/27/2015	<u>10</u>	MOTION to Postpone Preliminary Injunction Hearing by Don Davis. (Satterwhite, Harry) (Entered: 02/27/2015)
02/27/2015	<u>11</u>	MOTION to Quash Subpoena by Don Davis. (Satterwhite, Harry) (Entered: 02/27/2015)
02/27/2015	<u>12</u>	RESPONSE in Opposition to Plaintiff's Request for Preliminary Injunctive Relief, filed by Don Davis. (Satterwhite, Harry) (Entered: 02/27/2015)
02/27/2015	<u>13</u>	MOTION to Stay Pretrial Deadlines and Memorandum in Support by Don Davis. (Satterwhite, Harry) (Entered: 02/27/2015)
02/28/2015		MOTIONS REFERRED: <u>10</u> MOTION to Postpone Preliminary Injunction Hearing and <u>11</u> MOTION to Quash Subpoena Referred to Judge Callie V. S. Granade. (mab) (Entered: 02/28/2015)
02/28/2015		REFERRAL OF <u>12</u> Response in Opposition to Plaintiff's Request for Preliminary Injunctive Relief to Judge Granade. (mab) (Entered: 02/28/2015)
03/01/2015	<u>14</u>	RESPONSE in Opposition re <u>10</u> MOTION to Postpone Preliminary Injunction Hearing filed by Cari D. Searcy. (Kennedy, David) (Entered: 03/01/2015)
03/02/2015		REFERRAL OF <u>14</u> Response in Opposition to Motion to Continue Preliminary Injunction Hearing of 3/2/15 to Judge Granade. (tot) (Entered: 03/02/2015)
03/02/2015		REFERRAL OF <u>13</u> MOTION to Stay Pretrial Deadlines and Memorandum in Support to Judge Granade. (tot) (Entered: 03/02/2015)
03/02/2015	<u>15</u>	Order, GRANTING <u>10</u> MOTION to Postpone Preliminary Injunction Hearing; and setting deadline for plaintiff to file responses to <u>8</u> MOTION to Dismiss and <u>11</u> MOTION to Quash Subpoena by 3/6/2015. Defendant's replies due by 3/11/2015. Signed by Judge Callie V. S. Granade on 3/2/2015. (mab) (Entered: 03/02/2015)
03/06/2015	<u>16</u>	RESPONSE in Opposition re <u>8</u> MOTION to Dismiss filed by Cari D. Searcy. (Attachments: # <u>1</u> Exhibit Exhibit A) (Kennedy, David) (Entered: 03/06/2015)
03/06/2015	<u>17</u>	NOTICE of Appearance by Mark S. Boardman on behalf of Don Davis (Boardman, Mark) (Entered: 03/06/2015)
03/06/2015	<u>18</u>	NOTICE of Appearance by Clay Richard Carr on behalf of Don Davis (Carr, Clay) (Entered: 03/06/2015)
03/06/2015	<u>19</u>	NOTICE of Appearance by Teresa Bearden Petelos on behalf of Don Davis (Petelos, Teresa) (Entered: 03/06/2015)
03/06/2015	<u>20</u>	RESPONSE in Opposition re <u>11</u> MOTION to Quash Subpoena filed by Cari D. Searcy. (Kennedy, David) (Entered: 03/06/2015)
03/06/2015		REFERRAL OF <u>20</u> Response in Opposition to Motion to Quash Subpoena to Judge Granade. (tot) (Entered: 03/06/2015)
03/11/2015	<u>22</u>	Supplemental MOTION to Stay re <u>13</u> MOTION to Stay Pretrial Deadlines and Memorandum in Support by Don Davis. (Attachments: # <u>1</u> Exhibit A: Alabama Supreme Court Order) (Boardman, Mark) (Entered: 03/11/2015)
03/11/2015	<u>23</u>	REPLY to Response to Motion <u>8</u> to Dismiss filed by Don Davis. (Carr, Clay) (Additional attachment(s) added on 3/12/2015: # <u>1</u> Unsealed Exhibits Pursuant to Endorsed Order (Doc. 26)) (tot). (STRICKEN ON 3/12/15 – SEE DOC. 29) Modified on 3/12/2015 (tot). (Entered: 03/11/2015)
03/11/2015	<u>24</u>	REPLY to Response to Motion <u>11</u> to Quash Subpoena filed by Don Davis. (Boardman, Mark) (Entered: 03/11/2015)
03/11/2015	<u>25</u>	REPLY to <u>16</u> Response in Opposition to Motion <i>Defendant's Amended Reply to Plaintiff's Opposition to Motion to Dismiss</i> filed by Don Davis. (Carr, Clay) (Additional attachment(s) added on 3/12/2015: # <u>1</u> Unsealed Exhibits Pursuant to Endorsed Order (Doc. 26)) (tot). (Entered: 03/11/2015)

03/11/2015	<u>26</u>	ENDORSED ORDER denying <u>21</u> Motion to Seal Exhibits. The substance of the exhibits has been described by the defendant in his Reply filed this date, and because the name of the child is redacted in the filed exhibits, there is no need to keep them under seal in this lawsuit. The clerk is directed to unseal the documents attached as exhibit 1 to the motion, and reference them as exhibits to Docs. 23 and 25 filed herein. Signed by Judge Callie V. S. Granade on 3/11/2015. (Granade, Callie) (Entered: 03/11/2015)
03/11/2015	<u>27</u>	Amended MOTION to Dismiss re: <u>8</u> MOTION to Dismiss <i>Amended Motion to Dismiss</i> by Don Davis. (Boardman, Mark) Modified on 3/12/2015 (tot). (Entered: 03/11/2015)
03/12/2015	<u>28</u>	MOTION to Strike <u>23</u> Reply to Response to Motion by Don Davis. (Carr, Clay) (Entered: 03/12/2015)
03/12/2015	<u>29</u>	ENDORSED ORDER granting <u>28</u> Motion to Strike <u>23</u> Reply to Opposition to Motion to Dismiss. Signed by Judge Callie V. S. Granade on 3/12/2015. (tot) (Entered: 03/12/2015)
03/12/2015		REFERRAL OF <u>22</u> Supplement to <u>13</u> MOTION to Stay, <u>24</u> Reply to Response to Motion to Quash Subpoena, <u>25</u> Reply to Opposition to Motion to Dismiss, <u>27</u> Amended MOTION to Dismiss to Judge Granade. (tot) (Entered: 03/12/2015)
03/12/2015	<u>30</u>	Order, Status Conference set for 3/16/2015 at 01:00 PM in US Courthouse, Courtroom 2B, 113 St. Joseph Street, Mobile, AL 36602 before Judge Callie V. S. Granade. Signed by Judge Callie V. S. Granade on 3/12/2015. (tot) (Entered: 03/12/2015)
03/13/2015	<u>31</u>	MOTION to File Surreply to Defendant's Motion to Dismiss filed by Cari D. Searcy. (Kennedy, David) Modified on 3/13/2015 (tot). (Entered: 03/13/2015)
03/13/2015		REFERRAL OF <u>31</u> MOTION to File Surreply to Defendant's Motion to Dismiss to Judge Granade. (tot) (Entered: 03/13/2015)
03/16/2015	<u>32</u>	ENDORSED ORDER granting <u>31</u> Motion for Leave to File Surreply. Signed by Judge Callie V. S. Granade on 3/16/2015. (Granade, Callie) (Entered: 03/16/2015)
03/16/2015		Minute Entry for proceedings held before Judge Callie V. S. Granade: Status Conference held on 3/16/2015. Court Reporter Roy Isbell. (mab) (Entered: 03/16/2015)
03/16/2015	<u>33</u>	Order re: status conference held on 3/16/15, Plf is granted leave to file a brief on any issues she believes remain pending in this action NLT 3/31/2015. Dft may file a responsive brief NLT 4/7/2015. Signed by Judge Callie V. S. Granade on 3/16/2015. (tot) (Entered: 03/16/2015)
03/24/2015	<u>34</u>	MOTION to Dismiss by Cari D. Searcy. (Hernandez, Christine) (Entered: 03/24/2015)
03/24/2015		REFERRAL OF <u>34</u> MOTION to Dismiss to Judge Granade. (tot) (Entered: 03/24/2015)
03/25/2015	<u>35</u>	RESPONSE to Motion re: <u>34</u> MOTION to Dismiss filed by Don Davis. (Carr, Clay) (Entered: 03/25/2015)
03/26/2015	<u>36</u>	ORDER granting <u>34</u> Motion to Dismiss by Cari D. Searcy; granting <u>27</u> Amended Motion to Dismiss by Don Davis. Plaintiff's claims against Defendant Mobile County Probate Judge Don Davis are hereby DISMISSED with prejudice. All previously filed motions, still pending before the court, are hereby deemed to be MOOT. Signed by Judge Callie V. S. Granade on 3/26/2015. copies to parties. (sdb) (Entered: 03/26/2015)