

No. 01-309      Status:    DECIDED  
                   Title:    Larry Hope, Petitioner  
                               v.  
                               Mark Pelzer, et al.

Docketed:      Lower Ct: United States Court of Appeals for the Eleventh Circuit  
 August 21, 2001      (00-12150)

~~Date~~~~~      ~~~~~Proceedings and Orders~~~~~

Jul 28 2001      Petition for writ of certiorari filed. (Response due September 20, 2001)

Jul 28 2001      Supplemental Appendix of petitioner filed.

Sep 26 2001      DISTRIBUTED for Conference of October 12, 2001

Oct 10 2001      Response requested.

Nov 9 2001      Brief of respondents Mark Pelzer, et al. in opposition filed.

Nov 20 2001      REDISTRIBUTED for Conference of December 7, 2001

Dec 28 2001      REDISTRIBUTED for Conference of January 4, 2002

Jan 4 2002      Petition GRANTED.

SET FOR ARGUMENT April 17, 2002.

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Jan 29 2002      The order granting the petition for a writ of certiorari is amended as follows: "The petition for a writ of certiorari is granted limited to the following questions: 1. Whether state officials sued in their individual capacities under 42 U.S.C. Section 1983 are entitled to qualified immunity unless they have violated statutory or constitutional rights 'clearly established' by a case presenting facts 'materially similar' to those in the plaintiff's case. 2. Whether under the circumstances that must be taken as true at the summary judgment of stage of this case, tying a prisoner to a 'hitching post' violates 'clearly established' constitutional rights for purposes of qualified immunity under 42 U.S.C. Section 1983."

Feb 13 2002      Time to file petitioner's brief extended to and including February 21, 2002. The brief must be filed with the Clerk and served upon opposing counsel on Feb. 21, 2002. Rule 29.2 does not apply.

Feb 19 2002      Joint appendix filed.

Feb 19 2002      Brief amicus curiae of United States filed.

Feb 21 2002      Brief amici curiae of American Civil Liberties Union, et al. filed.

Feb 21 2002      Brief of petitioner Larry Hope filed.

Mar 20 2002      CIRCULATED.

Mar 21 2002      Record filed.

Mar 25 2002      Brief amici curiae of Missouri, et al. filed.

Mar 25 2002 Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument filed.

Mar 25 2002 Brief of respondents Mark Pelzer, Gene McClaran, and Jim Gates filed.

Mar 29 2002 Motion of Missouri, et al. for leave to participate in oral argument as amici curiae and for divided argument filed.

Apr 1 2002 Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument GRANTED.

Apr 8 2002 Reply brief of petitioner Larry Hope filed.

Apr 12 2002 Motion of Missouri, et al. for leave to participate in oral argument as amici curiae and for divided argument GRANTED.

Apr 17 2002 ARGUED.

Jun 27 2002 Adjudged to be REVERSED. Stevens, J., delivered the opinion of the Court, in which O'Connor, Kennedy, Souter, Ginsburg, and Breyer, JJ., joined. Thomas, J., filed a dissenting opinion, in which Rehnquist, C.J., and Scalia, J., joined.

Jul 26 2002 JUDGMENT ISSUED.

Nov 21 2002 Record returned to the USDC N. Dist. of Alabama.

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