

CLOSED

U.S. District Court
Northern District of Georgia (Atlanta)
CIVIL DOCKET FOR CASE #: 1:88-cv-01752-MHS

Doe, et al v. Evans, et al
Assigned to: Judge Marvin H. Shoob
Demand: \$0
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 08/15/1988
Jury Demand: Defendant
Nature of Suit: 550 Prisoner: Civil
Rights
Jurisdiction: Federal Question

Plaintiff

John Doe

TERMINATED: 02/04/1993

represented by **Frank C. Jones**

King & Spalding

191 Peachtree Street, N.E.

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TERMINATED: 02/04/1993

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TERMINATED: 02/04/1993

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Plaintiff

James Roe

represented by **Frank C. Jones**

(See above for address)

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Gregory Stuart Smith

(See above for address)

LEAD ATTORNEY

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Plaintiff

Mary Brake

*Executrix of the Will of JOHN DOE,
deceased*

represented by **Jeffrey Wright Willis**

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V.

Defendant

David C. Evans

represented by **Daryl Alan Robinson**
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Defendant

Joe Frank Harris

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William Bradley Hill, Jr.
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ATTORNEY TO BE NOTICED

Defendant

J. Paul Ford

represented by **Daryl Alan Robinson**
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LEAD ATTORNEY
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Michael E. Hobbs
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William Bradley Hill, Jr.
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Defendant

Charles E. Burden

represented by **Daryl Alan Robinson**
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Michael E. Hobbs
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William Bradley Hill, Jr.
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Defendant

Wayne Snow, Jr.

represented by **Terry L. Long**
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LEAD ATTORNEY
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Defendant

Bettye O. Hutchings

represented by **Terry L. Long**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

James T. Morris

represented by **Terry L. Long**
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LEAD ATTORNEY
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Defendant

Mobley Howell

represented by **Terry L. Long**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

Mary Brake
Executrix of the Will of John Doe,
deceased

represented by **Jeffrey Wright Willis**
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ATTORNEY TO BE NOTICED

Stephanie Ethel Parker
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/29/1989	24	RESPONSE by defendants to motion for preliminary injunction [23-1], and motion for consolidation of trial on merits with preliminary hearing by James Roe, John Doe [23-2] (km) (Entered: 08/30/1989)

08/30/1989		SUBMITTED to Judge Marvin H. Shoob on motion for preliminary injunction [23-1], and for consolidation of trial on merits with preliminary hearing by James Roe, John Doe [23-2] (km) (Entered: 08/30/1989)
08/31/1989	25	CONSENT ORDER extending discovery to 11/4/89 ; Discovery ends 11/6/89 by Judge Marvin H. Shoob. cc (km) (Entered: 09/06/1989)
09/11/1989	26	MOTION by defendant Charles E. Burden, defendant J. Paul Ford, defendant Joe Frank Harris, defendant David C. Evans to consolidate case with 1:89-cv-1604 with brief in support. (km) (Entered: 09/13/1989)
09/12/1989		SUBMITTED to Judge Marvin H. Shoob on motion to amend in forma pauperis complaint [1-0] by James Roe, John Doe (km) (Entered: 09/12/1989)
09/25/1989	27	BRIEF by John Doe, James Roe in opposition to motion to consolidate case with 1:89-cv-1604 by David C. Evans, Joe Frank Harris, J. Paul Ford, Charles E. Burden [26-1]. (km) (Entered: 09/26/1989)
09/26/1989		SUBMITTED to Judge Marvin H. Shoob on motion to consolidate case with 1:89-cv-1604 by David C. Evans, Joe Frank Harris, J. Paul Ford, Charles E. Burden [26-1] (km) (Entered: 09/26/1989)
09/28/1989	28	Certificate of interested persons. (to judge) (km) (Entered: 09/29/1989)
09/28/1989	29	Settlement certificate. (to judge) (km) (Entered: 09/29/1989)
10/06/1989	30	MOTION by defendant Charles E. Burden, defendant J. Paul Ford, defendant Joe Frank Harris, defendant David C. Evans to take deposition of prison inmates . (MHS) (km) (Entered: 10/11/1989)
10/12/1989		Proposed consent order extending discovery period. (MHS for approval) (km) (Entered: 10/13/1989)
10/12/1989	31	ORDER by Judge Marvin H. Shoob DIRECTING clk that all documents filed after 3/2/89 are available for viewing in chambers upon appointment made with the court. All other pleadings (ie. prior to 3/2/89) are to remain under seal. cc (km) (Entered: 10/13/1989)
10/17/1989	32	ORDER GRANTING motion to take deposition of prison inmates by David C. Evans, Joe Frank Harris, J. Paul Ford, Charles E. Burden [30-1] by Judge Marvin H. Shoob. cc (km) (Entered: 10/18/1989)
10/18/1989	33	RESPONSE by plaintiff John Doe, plaintiff James Roe to dfts' motion for depositions. (MHS) (km) Modified on 10/19/1989 (Entered: 10/19/1989)
10/20/1989	34	CONSENT ORDER extending discovery for 60 days or through the 1st day of hearing, whichever comes first by Judge Marvin H. Shoob. cc (km) (Entered: 10/23/1989)
01/05/1990	35	ORDER GRANTING motion to amend in forma pauperis complaint [1-0] by John Doe, James Roe [22-1] by Judge Marvin H. Shoob. cc (file retained) (km) (Entered: 01/09/1990)

01/31/1990	36	SECOND AMENDED COMPLAINT [1-0] by John Doe, James Roe adding Wayne Snow Jr., Bettye O. Hutchings, James T. Morris, Mobley Howell. (dkt'd from dup, orig not rec'd) (km) Modified on 02/01/1990 (Entered: 02/01/1990)
02/05/1990		Summons issued as to Mobley Howell, Wayne Snow, Jr., Bettye O. Hutchings, and James T. Morris and returned to atty for service. (km) (Entered: 02/07/1990)
02/14/1990	37	ANSWER to second amended complaint [36-1] by Charles E. Burden, J. Paul Ford, Joe Frank Harris, David C. Evans, Wayne Snow Bettye O. Hutchings, James T. Morris, Mobley Howell; jury demand. (km) (Entered: 02/15/1990)
02/15/1990	38	Acknowledgment of service by Wayne Snow Jr., Bettye O. Hutchings, James T. Morris, Mobley Howell , executed 2/8/90 (km) (Entered: 02/20/1990)
03/14/1990	39	ORDER DENYING motion to consolidate case with 1:89-cv-1604 by David C. Evans, Joe Frank Harris, J. Paul Ford, Charles E. Burden [26-1], denying as moot the motion for preliminary injunction [23-1] by James Roe, John Doe, denying as moot the motion for consolidation of trial on merits with preliminary hearing [23-2] by James Roe, John Doe by Judge Marvin H. Shoob. cc (km) (Entered: 03/15/1990)
03/21/1990	40	REQUEST with attachments by James Roe, John Doe for expedited hearing on plas' motion for preliminary injunction. (km) (Entered: 03/22/1990)
03/21/1990	41	Notice of filing depositions by plaintiff James Roe, plaintiff John Doe in support of their motion for preliminary injunction. (km) (Entered: 03/22/1990)
03/21/1990	42	STATEMENT of material facts in support of request for expedited ruling on motion for preliminary injunction by James Roe, John Doe [23-1] by plaintiff James Roe, plaintiff John Doe (km) (Entered: 03/22/1990)
03/21/1990		Deposition of J. PAUL FORD taken for plaintiff James Roe, plaintiff John Doe (km) (Entered: 03/22/1990)
03/21/1990		Deposition of CHARLES E. BURDEN taken for plaintiff James Roe, plaintiff John Doe (km) (Entered: 03/22/1990)
03/21/1990		Deposition of LANSON NEWSOME taken for plaintiff James Roe, plaintiff John Doe (km) (Entered: 03/22/1990)
03/21/1990		Deposition of MICHAEL SPRADLIN taken for plaintiff James Roe, plaintiff John Doe (km) (Entered: 03/22/1990)
03/21/1990		Deposition of MADELEINE LAMARRE taken for plaintiff James Roe, plaintiff John Doe (km) (Entered: 03/22/1990)
03/21/1990		Deposition of DAVID C. EVANS taken for plaintiff James Roe, plaintiff John Doe (km) (Entered: 03/22/1990)

03/21/1990		Deposition of DAVID C. EVANS, 10/26/90 taken for plaintiff James Roe, plaintiff John Doe (km) (Entered: 03/22/1990)
03/27/1990	43	ORDER VACATING order denying as moot the motion to consolidate case with 1:89-cv-1604 [26-1] for the purpose of clarification; DEFERRING ruling on motion for preliminary injunction by James Roe, John Doe [23-1] until submission of briefs by all ptys by Judge Marvin H. Shoob. cc (km) (Entered: 03/29/1990)
03/29/1990	44	MOTION by defendants to extend time to respond to plas' motion for preliminary injunction with consent of plas. (MHS for approval) (km) (Entered: 03/30/1990)
03/30/1990	45	CONSENT ORDER GRANTING motion to extend time to respond to plas' motion for preliminary injunction by defendant [44-1] through 4/12/90 by Judge Marvin H. Shoob. c/dft (adl) (Entered: 04/03/1990)
04/05/1990	46	ORDER GRANTING motion to extend time to respond to plas' motion for preliminary injunction by defendant [44-1] for 10 days by Judge Marvin H. Shoob. cc (km) (Entered: 04/10/1990)
04/12/1990	47	MOTION by defendants for summary judgment with brief, statement of facts and attachments in support and RESPONSE to pla's motion for preliminary injunction. (km) (Entered: 04/13/1990)
04/12/1990		Deposition of COMMISSIONER DAVID C. EVANS. taken for defendants (km) (Entered: 04/13/1990)
04/12/1990		Deposition of JOHN DOE and JAMES ROE taken for defendants (km) (Entered: 04/13/1990)
04/19/1990	48	CONSENT ORDER extending time for plas to respond to dfts' 2nd interros to 20 days after ruling on plas' motion for prel inj or dfts' motion for summary judgment by Judge Marvin H. Shoob. cc (km) (Entered: 04/23/1990)
04/23/1990		SUBMITTED to Judge Marvin H. Shoob on motion for preliminary injunction by James Roe, John Doe [23-1] (km) (Entered: 04/23/1990)
05/07/1990		SUBMITTED to Judge Marvin H. Shoob on motion for summary judgment by defendant [47-1] (km) (Entered: 05/07/1990)
05/07/1990		Proposed consent order extending time to respond to motion for summary judgment by defendant [47-1] through 6/7/90. (MHS for approval) (km) (Entered: 05/08/1990)
05/11/1990	49	CONSENT ORDER extending time to respond to motion for summary judgment by defendant [47-1] through 6/7/90 by Judge Marvin H. Shoob. cc (km) (Entered: 05/14/1990)
05/17/1990	50	REQUEST (letter) by counsel for James Roe, John Doe for copy of pla's motion for tro . (MHS for approval) (km) (Entered: 05/22/1990)
05/23/1990	51	ORDER GRANTING Request for copy of pla's motion for tro by John Doe, James Roe [50-1] by Judge Marvin H. Shoob. cc (km) (Entered: 05/23/1990)

		05/24/1990)
06/07/1990		Letter from counsel for pla Roe with attachment to affidavit of Roe [4-0]. (km) (Entered: 06/11/1990)
06/07/1990	52	RESPONSE with attachments by plaintiffs to motion for summary judgment by defendant [47-1] (km) (Entered: 06/11/1990)
06/07/1990		Deposition of THOMAS WAYNE SNOW, JR. taken for plaintiff John Doe, plaintiff James Roe (km) (Entered: 06/11/1990)
06/22/1990	53	MOTION by plaintiff John Doe, plaintiff James Roe for leave to file out-of-time affidavit and sporting memorandum with brief in support. (km) (Entered: 06/25/1990)
07/12/1990		SUBMITTED to Judge Marvin H. Shoob on motion for leave to file out-of-time affidavit and sporting memorandum by James Roe and John Doe [53-1] (km) (Entered: 07/12/1990)
10/11/1990	54	ORDER DEFERRING ruling on motion for summary judgment by defendant [47-1] until 11/12/90 by Judge Marvin H. Shoob. Pmys directed to submit briefs w/in 30 days. cc (km) (Entered: 10/15/1990)
11/20/1990		SUBMITTED to Judge Marvin H. Shoob on motion for leave to file out-of-time affidavit and sporting memorandum by plas [53-1], and motion for summary judgment by defendant [47-1] (km) (Entered: 11/20/1990)
11/27/1990	55	ORDER GRANTING motion for leave to file out-of-time affidavit and sporting memorandum by James Roe, John Doe [53-1], nunc pro tunc by Judge Marvin H. Shoob, cc (scg) (Entered: 11/28/1990)
03/26/1991	56	Notice of filing change of address by counsel for plaintiffs. (scg) (Entered: 04/01/1991)
08/14/1991		SUBMITTED per order [54-1], motion for summary judgment by defendant [47-1] to Judge Marvin H. Shoob . (scg) (Entered: 08/14/1991)
08/20/1991		File returned from MHS w/note, motion for summary judgment is still deferred per order [54-1] (scg) (Entered: 08/20/1991)
10/11/1991	57	RESPONSE by defendants to order [54-1] requiring briefs on the "Harris v. Thigpen decision of the 11th Circuit. (scg) (Entered: 10/17/1991)
10/18/1991	58	SUPPLEMENTAL RESPONSE by plaintiffs to motion for summary judgment by defendant [47-1] (scg) (Entered: 10/18/1991)
10/23/1991		SUBMITTED on motion for summary judgment by defendant [47-1] to Judge Marvin H. Shoob . (scg) (Entered: 10/23/1991)
03/31/1992	59	ORDER GRANTING IN PART as to plaintiffs' requests for injunctive relief, AND DENYING IN PART as to plaintiffs' claims of slander & breach of confidentiality, motion for summary judgment by defendant [47-1], defendants may file 2nd motion for summary judgment w/in 20 days; DIRECTING clerk to enter judgment in favor of defendants on all requests for injunctive relief; by Judge Marvin H. Shoob. cc (scg)

		(Entered: 03/31/1992)
05/11/1992	60	MOTION by defendants to extend time to file 2nd motion for summary judgment with brief in support. (scg) (Entered: 05/12/1992)
05/11/1992	61	Response by plaintiffs to motion to extend time to file 2nd motion for summary judgment by defendants [60-1] (scg) (Entered: 05/12/1992)
05/12/1992		SUBMITTED on motion to extend time to file 2nd motion for summary judgment by defendants [60-1] to Judge Marvin H. Shoob . (scg) (Entered: 05/12/1992)
05/19/1992	62	ORDER GRANTING motion to extend time to file 2nd motion for summary judgment by defendant [60-1], motion to be filed by 6/8/92; by Judge Marvin H. Shoob. cc (scg) (Entered: 05/20/1992)
06/09/1992	63	MOTION by defendants for summary judgment and statement of material facts with brief in support. (scg) (Entered: 06/10/1992)
06/10/1992		Notice of motion for summary judgment and statement of material facts by defendant [63-1] filed 6/9/92, mailed 6/10/92. (scg) (Entered: 06/10/1992)
06/29/1992	64	Response by plaintiffs to motion for summary judgment and statement of material facts by defendant [63-1] w/statement of facts. (scg) (Entered: 06/30/1992)
07/13/1992		SUBMITTED on motion for summary judgment [63-1] to Judge Marvin H. Shoob . (scg) (Entered: 07/13/1992)
01/21/1993	65	MOTION by plas to substitute counsel with brief in support. (scg) (Entered: 01/22/1993)
01/26/1993	66	ORDER DENYING motion to substitute counsel by plas [65-1] by Judge Marvin H. Shoob. cc (scg) (Entered: 01/27/1993)
01/26/1993	67	MOTION by movant Mary Brake to substitute Mary Brake, in her capacity as Executrix in place of John Doe, deceased with affidavit in support. (fmr emp) (Entered: 02/05/1993)
02/04/1993	68	CONSENT ORDER GRANTING motion to substitute Mary Brake, in her capacity as Executrix in place of John Doe, deceased by Mary Brake [67-1] by Judge Marvin H. Shoob. cc (scg) (Entered: 02/09/1993)
03/31/1993	69	ORDER GRANTING motion for summary judgment by dfts [63-1], DIRECTING clerk to enter judgment for dfts on all claims; by Judge Marvin H. Shoob. cc (scg) (Entered: 04/01/1993)
03/31/1993	70	JUDGMENT ENTERED on amended complaint by plas [36-1], dismissing plas' complaints, & dfts to recover of the plas their costs of this action. cc (scg) (Entered: 04/01/1993)
04/14/1993	71	MOTION by plas for reconsideration of award of costs in judgment [70-1] with brief in support. (scg) (Entered: 04/19/1993)

05/17/1993		SUBMITTED on motion for reconsideration of award of costs in judgment [70-1] by Mary Brake, James Roe [71-1] to Judge Marvin H. Shoob. (scg) (Entered: 05/17/1993)
05/27/1993	72	ORDER GRANTING motion for reconsideration of award of costs in judgment [70-1] by Mary Brake, James Roe [71-1] VACATING award of costs; by Judge Marvin H. Shoob. cc (scg) (Entered: 05/27/1993)
05/27/1993	73	AMENDED JUDGMENT on in forma pauperis complaint [1-0] that plas recover nothing & this action & their complaint is dismissed. cc (scg) (Entered: 05/27/1993)
06/01/1993	74	Response by dfts to motion for reconsideration of award of costs in judgment [70-1] by plas [71-1] (no objection) (scg) (Entered: 06/03/1993)
07/12/1993	75	ORDER directing parties to show cause w/in 20 days why this case should not be unsealed, failure to respond will result in order directing clerk to unseal case by Judge Marvin H. Shoob. cc (scg) (Entered: 07/12/1993)
08/09/1993		SUBMITTED on order directing parties to show cause w/in 20 days why this case should not be unsealed [75-1] to Judge Marvin H. Shoob. (scg) (Entered: 08/09/1993)
08/11/1993	76	ORDER unsealing case by Judge Marvin H. Shoob. cc (scg) (Entered: 08/11/1993)

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