

**U.S. District Court
Northern District of Georgia (Rome)
CIVIL DOCKET FOR CASE #: 4:11-cv-00188-HLM**

Nwakanma et al v. Clark et al
Assigned to: Judge Harold L. Murphy
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 07/12/2011
Date Terminated: 02/17/2012
Jury Demand: Both
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Miracle Nwakanma

represented by **Atteeyah Eshe Hollie**
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Plaintiff

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Plaintiff

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Plaintiff

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V.

Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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Defendant

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and

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Defendant

Officer Kevin Wooten
*correctional officers and supervisors,
Hays State Prison, in their official and
individual capacities*

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Date Filed	#	Docket Text
07/11/2011	<u>2</u>	CLERK FILED IN WRONG CASE ORDER directing Plaintiff to Show Cause w/in 30 days of the docketing of this Order why this action should not be Dismissed for failure to prosecute. Signed by Judge Robert L. Vining, Jr. on 7/11/2011. (bjh) Modified on 7/12/2011 (bjh). (Entered: 07/12/2011)
07/12/2011	<u>1</u>	COMPLAINT with Jury Demand filed by Plaintiffs. Consent form to proceed before U.S. Magistrate and pretrial instructions provided. (Filing fee \$350 receipt number 113E-3400647) (Attachment: # <u>1</u> Civil Cover Sheet)(bjh) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 07/12/2011)
07/12/2011	<u>3</u>	Summons Issued as to Timothy Clark. (bjh) (Entered: 07/12/2011)
07/12/2011	<u>4</u>	Summons Issued as to Sherman Davis. (bjh) (Entered: 07/12/2011)
07/12/2011	<u>5</u>	Summons Issued as to Kenny Gilreath. (bjh) (Entered: 07/12/2011)
07/12/2011	<u>6</u>	Summons Issued as to Jack Hamilton. (bjh) (Entered: 07/12/2011)
07/12/2011	<u>7</u>	Summons Issued as to John Lyons. (bjh) (Entered: 07/12/2011)
07/12/2011	<u>8</u>	Summons Issued as to Brian McNabb. (bjh) (Entered: 07/12/2011)
07/12/2011	<u>9</u>	Summons Issued as to Brian McGathy. (bjh) (Entered: 07/12/2011)
07/12/2011	<u>10</u>	Summons Issued as to Billy Porter. (bjh) (Entered: 07/12/2011)
07/12/2011	<u>11</u>	Summons Issued as to Jayson Quarles. (bjh) (Entered: 07/12/2011)
07/12/2011	<u>12</u>	Summons Issued as to Nicholas Souther. (bjh) (Entered: 07/12/2011)
07/12/2011	<u>13</u>	Summons Issued as to Nick Stewart. (bjh) (Entered: 07/12/2011)
07/12/2011	<u>14</u>	Summons Issued as to Kevin Wooten. (bjh) (Entered: 07/12/2011)
07/13/2011	<u>15</u>	Corporate Disclosure Statement by Gregory Haines, Miracle Nwakanma, Cornelius Spencer, Eric Towns.(Bracken, Lawrence) Modified on 7/13/2011 to delete double wording (bjh). (Entered: 07/13/2011)
07/14/2011	<u>16</u>	Clerks Notation re <u>15</u> Corporate Disclosure Statement signed on 7/14/2011 by Judge Harold L. Murphy. (bjh) (Entered: 07/14/2011)
07/14/2011	<u>17</u>	NOTICE of Appearance by Sarah E. Geraghty on behalf of Gregory Haines, Miracle Nwakanma, Cornelius Spencer, Eric Towns (Geraghty, Sarah) (Entered: 07/14/2011)
07/25/2011	<u>18</u>	Letter from Albert Thomas stating he is a witness re this complaint and requesting the address for Plaintiffs' Attorneys. (bjh) (Entered: 07/25/2011)
07/25/2011		Clerks Certificate of Mailing to Albert Thomas, a copy of the Docket Report that reflects Plaintiffs' Attorneys' addresses, re <u>18</u> Letter. (bjh) (Entered: 07/25/2011)
07/25/2011	<u>19</u>	NOTICE of Appearance by Rhani Morris Lott on behalf of Gregory Haines, Miracle Nwakanma, Cornelius Spencer, Eric Towns (Lott, Rhani) (Entered: 07/25/2011)

07/25/2011	<u>20</u>	NOTICE of Appearance by Atteyah Eshe Hollie on behalf of Gregory Haines, Miracle Nwakanma, Cornelius Spencer, Eric Towns (Hollie, Atteyah) (Entered: 07/25/2011)
07/26/2011	<u>21</u>	Joint MOTION for Extension of Time to File Answer to <i>Complaint</i> by Timothy Clark, Sherman Davis, Kenny Gilreath, Jack Hamilton, Billy Porter, Jayson Quarles, Nicholas Souther, Nick Stewart, Kevin Wooten. (Attachments: # <u>1</u> Text of Proposed Order)(Orland, Devon) (Entered: 07/26/2011)
07/27/2011		ORAL ORDER granting <u>21</u> Joint Motion for Extension of Time to Answer. Timothy Clark Answer due 9/7/2011; Sherman Davis Answer due 9/7/2011; Kenny Gilreath Answer due 9/7/2011; Jack Hamilton Answer due 9/7/2011; Billy Porter Answer due 9/7/2011; Jayson Quarles Answer due 9/7/2011; Nicholas Souther Answer due 9/7/2011; Nick Stewart Answer due 9/7/2011; Kevin Wooten Answer due 9/7/2011. Entered by Magistrate Judge Walter E. Johnson on 7/27/11. (klb) (Entered: 07/27/2011)
07/28/2011	<u>22</u>	Letter from Alonzo Moorefield, Jr. requesting copy of docket report. (bjh) (Entered: 07/28/2011)
07/28/2011		Clerks Certificate of Mailing copy of docket report to Alonzo Moorefield, Jr. re <u>22</u> Letter. (bjh) (Entered: 07/28/2011)
08/02/2011	<u>23</u>	NOTICE Of Filing Proof of Service by Gregory Haines, Miracle Nwakanma, Cornelius Spencer, Eric Towns (Attachments: # <u>1</u> Exhibit A: Affidavits/Proof of Service)(Lott, Rhani) (Entered: 08/02/2011)
08/03/2011	<u>24</u>	Return of Service Executed by Gregory Haines, Miracle Nwakanma, Eric Towns, Cornelius Spencer. Timothy Clark served on 7/15/2011, answer due 9/7/2011; Sherman Davis served on 7/15/2011, answer due 9/7/2011; Kenny Gilreath served on 7/15/2011, answer due 9/7/2011; Jack Hamilton served on 7/15/2011, answer due 9/7/2011; Billy Porter served on 7/15/2011, answer due 9/7/2011; Jayson Quarles served on 7/15/2011, answer due 9/7/2011; Nicholas Souther served on 7/15/2011, answer due 9/7/2011; Nick Stewart served on 7/15/2011, answer due 9/7/2011. (Attachments: # <u>1</u> Exhibit A; July 15, 2011 Proofs of Service)(Lott, Rhani) (Entered: 08/03/2011)
08/03/2011	<u>25</u>	Return of Service Executed by Gregory Haines, Miracle Nwakanma, Eric Towns, Cornelius Spencer. Kevin Wooten served on 7/19/2011, answer due 9/7/2011. (Attachments: # <u>1</u> Exhibit A: July 19, 2011 Proof of Service)(Lott, Rhani) (Entered: 08/03/2011)
09/06/2011	<u>26</u>	ANSWER to <u>1</u> COMPLAINT with Jury Demand by Jayson Quarles.(Curry, Stephen) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 09/06/2011)
09/06/2011		Discovery ends on 2/6/2012. (rth) (Entered: 09/07/2011)
09/07/2011	<u>27</u>	NOTICE of Appearance by Adam Lowell Appel on behalf of Sherman Davis (Appel, Adam) (Entered: 09/07/2011)
09/07/2011	<u>28</u>	NOTICE of Appearance by Marquetta Johnson Bryan on behalf of Sherman Davis (Bryan, Marquetta) (Entered: 09/07/2011)
09/07/2011	<u>29</u>	ANSWER to <u>1</u> COMPLAINT with Jury Demand by Sherman Davis.(Appel, Adam) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 09/07/2011)
09/07/2011	<u>30</u>	ANSWER to <u>1</u> COMPLAINT with Jury Demand by Nick Stewart.(Weaver, George) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 09/07/2011)
09/07/2011	<u>31</u>	ANSWER to <u>1</u> COMPLAINT with Jury Demand and <i>Defenses</i> by Timothy Clark.(Teaster, Susan) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 09/07/2011)
09/07/2011	<u>32</u>	ANSWER to <u>1</u> COMPLAINT with Jury Demand by Kevin Wooten.(LaVallee, Matthew) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 09/07/2011)

09/07/2011	<u>33</u>	ANSWER to <u>1</u> COMPLAINT with Jury Demand by Nicholas Souther.(Will, David) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 09/07/2011)
09/07/2011	<u>34</u>	ANSWER to <u>1</u> COMPLAINT with Jury Demand by Kenny Gilreath.(Toreno, Vincent) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 09/07/2011)
09/07/2011	<u>35</u>	NOTICE of Appearance by Holly Hance on behalf of Nicholas Souther (Hance, Holly) (Entered: 09/07/2011)
09/07/2011	<u>36</u>	<i>Defendant Billy Porter</i> ANSWER to <u>1</u> COMPLAINT by Billy Porter.(Busbee, Annarita) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 09/07/2011)
09/07/2011	<u>37</u>	ANSWER to <u>1</u> COMPLAINT with Jury Demand by Jack Hamilton.(Harris, Frank) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 09/07/2011)
09/23/2011	<u>38</u>	Consent MOTION for Extension of Time Regarding Pretrial Deadlines by Gregory Haines, Miracle Nwakanma, Cornelius Spencer, Eric Towns. (Attachments: # <u>1</u> Text of Proposed Order Exhibit A)(Lott, Rhani) (Entered: 09/23/2011)
09/23/2011	<u>39</u>	ORDER granting <u>38</u> Consent Motion to Extend Pretrial Deadlines. The Court STAYS the parties obligations to comply with the deadlines for conducting the Rule 26(f) Conference, serving Initial disclosures and filing a Joint Preliminary Report and Discovery plan through and including November 7, 2011. Signed by Magistrate Judge Walter E. Johnson on 9/23/11. (klb) (Entered: 09/23/2011)
10/06/2011	<u>40</u>	WAIVER OF SERVICE Returned Executed by Gregory Haines, Miracle Nwakanma, Eric Towns, Cornelius Spencer. Brian McGathy waiver mailed on 9/23/2011, answer due 11/22/2011. (Bracken, Lawrence) (Entered: 10/06/2011)
10/20/2011	<u>41</u>	NOTICE of Appearance by Eve Anne Appelbaum on behalf of Brian McNabb (Appelbaum, Eve) (Entered: 10/20/2011)
10/21/2011	<u>42</u>	WAIVER OF SERVICE Returned Executed by Gregory Haines, Miracle Nwakanma, Eric Towns, Cornelius Spencer. Brian McNabb waiver mailed on 9/23/2011, answer due 11/22/2011. (Bracken, Lawrence) (Entered: 10/21/2011)
11/01/2011	<u>43</u>	Summons Reissued as to John Lyons. (bjh) (Entered: 11/01/2011)
11/03/2011	<u>44</u>	Consent MOTION for Extension of Time of <i>Pretrial Deadlines</i> by Gregory Haines, Miracle Nwakanma, Cornelius Spencer, Eric Towns. (Attachments: # <u>1</u> Exhibit A-Proposed Order)(Lott, Rhani) (Entered: 11/03/2011)
11/03/2011	<u>45</u>	ORDER – the Court hereby GRANTS the Plaintiffs Consent Motion to Extend Pretrial Deadlines. The Court STAYS the parties obligations to comply with the deadlines for conducting the Rule 26(f) Conference, serving Initial disclosures and filing a Joint Preliminary Report and Discovery plan through and including December 7, 2011. Signed by Magistrate Judge Walter E. Johnson on 11/3/11. (klb) (Entered: 11/03/2011)
11/22/2011	<u>46</u>	ANSWER to <u>1</u> COMPLAINT with Jury Demand by Brian McNabb.(Appelbaum, Eve) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 11/22/2011)
11/22/2011	<u>47</u>	ANSWER to <u>1</u> COMPLAINT with Jury Demand by Brian McGathy.(Seacrest, Gary) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 11/22/2011)
12/07/2011	<u>48</u>	Consent MOTION for Extension of Time To Continue Pretrial Deadlines by Timothy Clark, Sherman Davis, Kenny Gilreath, Jack Hamilton, Billy Porter, Jayson Quarles, Nicholas Souther, Nick Stewart, Kevin Wooten. (Attachments: # <u>1</u> Text of Proposed Order)(Orland, Devon) Modified on 12/8/2011 to edit text to reflect pdf (bjh). (Entered: 12/07/2011)
12/08/2011	<u>49</u>	ORDER Granting <u>48</u> Consent Motion for Extension of Time for all deadlines until and including 2/7/2012. Signed by Judge Harold L. Murphy on 12/8/11. (bjh)

		(Entered: 12/08/2011)
12/08/2011		Discovery ends on 2/7/2012. (bjh) (Entered: 12/08/2011)
02/02/2012	<u>50</u>	NOTICE of Change of Address for Matthew R. LaVallee, counsel for Kevin Wooten (LaVallee, Matthew) (Entered: 02/02/2012)
02/06/2012	<u>51</u>	Consent MOTION for Extension of Time To Extend Pretrial Deadlines by Gregory Haines, Miracle Nwakanma, Cornelius Spencer, Eric Towns. (Attachments: # <u>1</u> Text of Proposed Order)(Lott, Rhani) (Entered: 02/06/2012)
02/17/2012	<u>52</u>	STIPULATION of Dismissal [<i>JOINT</i>] by Timothy Clark, Sherman Davis, Kenny Gilreath, Gregory Haines, Jack Hamilton, John Lyons, Brian McGathy, Brian McNabb, Miracle Nwakanma, Billy Porter, Jayson Quarles, Nicholas Souther, Cornelius Spencer, Nick Stewart, Eric Towns, Kevin Wooten. (Lott, Rhani) (Entered: 02/17/2012)
02/17/2012		Clerk's Entry of Dismissal APPROVING <u>52</u> Stipulation of Dismissal with Prejudice, pursuant to Fed.R.Civ.P.41(a)(1)(ii). (bjh) (Entered: 02/21/2012)
02/17/2012		Civil Case Terminated. Magistrate Judge Walter E. Johnson terminated from case. (bjh) (Entered: 02/21/2012)
02/23/2012	<u>53</u>	STIPULATION of Dismissal [<i>JOINT</i>] by Timothy Clark, Sherman Davis, Kenny Gilreath, Gregory Haines, Jack Hamilton, John Lyons, Brian McGathy, Brian McNabb, Miracle Nwakanma, Billy Porter, Jayson Quarles, Nicholas Souther, Cornelius Spencer, Nick Stewart, Eric Towns, Kevin Wooten. (Geraghty, Sarah) (Entered: 02/23/2012)
02/29/2012	<u>54</u>	Letter from Alonzo Moorefield, Jr. requesting copy of complaint and docket report. (bjh) (Entered: 02/29/2012)
02/29/2012		Clerks Certificate of Mailing to Alonzo Moorefield, Jr. re <u>1</u> Complaint and docket report. (bjh) (Entered: 02/29/2012)
12/09/2013	<u>55</u>	ORDER: On December 9, 2013, the Court received the attached communication from Albert Thomas, titled "Motion for Relief Judgment or Order and Contempt." Mr. Thomas was not a party to the Complaint in this action, and the Complaint was not a class action complaint. (See generally Complaint (Docket Entry No.1).) Further, the Court never granted leave to Mr. Thomas to be a party Plaintiff in this action. (See generally Docket.) As such, Mr. Thomas cannot file Motions or seek relief in this case. In any event, the relief that Mr. Thomas seeks has nothing to do with the matters alleged in the Complaint. Finally, to the extent that Mr. Thomas challenges rulings by Senior United States District Judge J. Owen Forrester in Thomas v. Georgia State Board of Pardons and Paroles, Civil Action No.1 :96-CV-0527 -JOF, Mr. Thomas must file his challenges in that case, not in the instant action. Moreover, this Court lacks authority to review Judge Forrester's rulings. The Court consequently will not grant the relief requested by Mr. Thomas. ACCORDINGLY, the Court DIRECTS the Clerk to make the attached communication a part of the record in this case. Signed by Judge Harold L. Murphy on 12/9/13. (Attachment: # <u>1</u> Letter/Attachment)(bjh) (Entered: 12/10/2013)
12/10/2013		Clerks Certificate of Mailing to Albert Thomas re <u>55</u> Order. (bjh) (Entered: 12/10/2013)
01/13/2014	<u>56</u>	MOTION for Relief Judgment, MOTION for Order Clarification by Albert Thomas. (Attachments: # <u>1</u> Attachments)(bjh) (Entered: 01/13/2014)
01/31/2014	<u>57</u>	ORDER Denying non-party Albert Thomas's <u>56</u> Motion for Relief from Judgment/Motion for Order Clarification. The Court DIRECTS Mr. Thomas to REFRAIN from filing future Motions in this case, as Mr. Thomas clearly is not entitled to seek relief in this action. The Court will direct the Clerk to strike any future filings that Mr. Thomas makes in this case. Signed by Judge Harold L. Murphy on 1/31/14. (bjh) (Entered: 01/31/2014)
01/31/2014		Clerks Certificate of Mailing to non-party Mr. Thomas re <u>57</u> Order. (bjh) (Entered: 01/31/2014)

04/14/2014	<u>58</u>	Letter received from Alonzo Moorefield requesting copies. (Attachment: # <u>1</u> Envelope) (bjh) (Entered: 04/14/2014)
04/14/2014		Clerks Certificate of Mailing to Alonzo Moorefield, Jr. <u>53</u> Stipulation of Dismissal, <u>1</u> Complaint, and docket report. (bjh) (Entered: 04/14/2014)