

TERMED

**U.S. District Court
District of Hawaii (Hawaii)
CIVIL DOCKET FOR CASE #: 1:92-cv-00060-DAE -DGC**

Mujahid v. Sumner, et al
Assigned to: JUDGE DAVID ALAN EZRA
Referred to: Mag Judge Daral G. Conklin
Demand: \$0
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 02/03/1992
Date Terminated: 11/24/1992
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Sabil M. Mujahid
also known as
Terry Smith

represented by **Sabil M. Mujahid**
HCF
99-902 Moanalua Hwy
Aiea, HI 96701
PRO SE

V.

Defendant

George W. Sumner
Director Department of Public Safety

represented by **Thomas D. Farrell**
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Defendant

John Smythe
*Administrator Halawa Medium Security
Facility*

represented by **Thomas D. Farrell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Warren Price , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/03/1992	1	COMPLAINT (Summons(es) issued) (referred to Mag Judge Daral G. Conklin) (fe) (Entered: 02/21/1992)
02/03/1992	2	ORDER by Judge Alan C. Kay rule 16 conference set for 8:30 5/7/92 before Mag Judge Daral G. Conklin (fe) (Entered: 02/21/1992)
02/03/1992	3	Application by plttf to proceed in forma pauperis before Mag Judge Daral G. Conklin (fe) (Entered: 02/21/1992)

03/03/1992	4	ORDER by Mag Judge Daral G. Conklin granting motion to proceed in forma pauperis [3-1] (cc: all counsel) (tbf) (Entered: 03/04/1992)
04/28/1992	5	NOTICE – rule 16 conference set for 8:15 5/12/92 before Mag Judge Daral G. Conklin (cc: all counsel) (tbf) (Entered: 04/30/1992)
05/05/1992	6	NOTICE – rule 16 conference set for 8:30 6/15/92 before Mag Judge Daral G. Conklin Mr. Smith by phone (cc: all counsel) (tbf) (Entered: 05/08/1992)
06/02/1992	7	ACCEPTANCE/ACKNOWLEDGEMENT OF SERVICE by defendant George W. Sumner on 4/30/92 (tbf) (Entered: 06/04/1992)
06/02/1992	8	ACCEPTANCE/ACKNOWLEDGEMENT OF SERVICE by defendant John Smythe on 4/29/92 (tbf) (Entered: 06/04/1992)
06/15/1992	9	MOTION by defendant for judgment on the pleadings or in the alternative for summary judgment; memorandum in support of motion; certificate of service – referred to Mag Judge Daral G. Conklin (tbf) (Entered: 06/17/1992)
06/15/1992	10	EP : ; rule 16 conference held on 8:30 6/15/92 ; Trial set for 9:00 11/24/92 before Judge David A. Ezra , ; final pretrial conference set for 2:00 11/13/92 ; pretrial statements 11/6/92; Motion filing ddl set for 9/15/92 ; Discovery ddl set for 10/13/92; disclose names and addresses of expert witnesses 9/15/92 before Mag Judge Daral G. Conklin (Ct Rptr : No Record) JUDGE Mag Judge Daral G. Conklin (tbf) (Entered: 06/18/1992)
06/15/1992	11	SCHEDULING ORDER Mag Judge Daral G. Conklin (tbf) (Entered: 06/18/1992)
06/30/1992	12	NOTICE – re motion for summary judgment – cc: all counsel – by DARAL G. CONKLIN (tbf) (Entered: 07/02/1992)
06/30/1992	13	ORDER setting response time – plaintiff respond by 7/30/92 – by Mag Judge Daral G. Conklin re [9-1] (cc: all counsel) (tbf) (Entered: 07/02/1992)
07/08/1992	14	MOTION by plaintiff in opposition and cross motion for summary judgment and motion for a preliminary injunction; memorandum of laws in support of opposition motion and preliminary injunction; notice of motion for a preliminary injunction; affidavit of Sabil M. Mujahid; exhibits "1 thru 24; and certificate of service – referred to Mag Judge Daral G. Conklin (tbf) (Entered: 07/23/1992)
07/20/1992	15	MEMORANDUM by defendant in opposition to motion for summary judgment [14-1] and in opposition to plaintiff's motion for preliminary injunction; certificate of service (tbf) (Entered: 07/23/1992)
08/12/1992	16	REPLY by plaintiff to defendants memorandum in opposition to cross motion for summary judgment [14-1] and preliminary injunction; certificate of service (tbf) (Entered: 08/13/1992)
08/12/1992	17	MOTION by plaintiff to strike defendants pleadings – referred to Mag Judge Francis I. Yamashita (tbf) (Entered: 08/13/1992)
08/12/1992	18	MOTION by plaintiff to sanction counsel under rule 11 – referred to Mag Judge Francis I. Yamashita (tbf) (Entered: 08/13/1992)
09/15/1992	19	CERTIFICATE of service (wnn) (Entered: 09/15/1992)
09/18/1992	20	REPORT AND RECOMMENDATION concerning motion to sanction [18-1], motion to strike [17-1], motion for summary judgment [14-1], motion for judgment on the pleadings [9-1] by Mag Judge Francis I. Yamashita (cc: all counsel) (wnn) (Entered: 09/18/1992)
09/24/1992	21	MOTION by plaintiff Sabil M. Mujahid to admit exhibits #34 and #35 in the records (in the records for reconsideration of plaintiffs summary judgment ; certificate of service – referred to Mag Judge Francis I. Yamashita (wnn) (Entered: 09/28/1992)
10/01/1992	22	CERTIFICATE of service (wnn) (Entered: 10/02/1992)
10/02/1992	23	OBJECTIONS by plaintiff to magistrate's report and recommendation [20-1]; objection to the magistrate's denial of plaintiffs motion for a preliminary injunction

		filed on September 18, 1992; and certificate of service – referred to Ezra (tbf) (Entered: 10/07/1992)
11/06/1992	24	PRETRIAL STATEMENT by defendants; certificate of service (wnn) (Entered: 11/06/1992)
11/06/1992	26	EP : ; final pretrial conference moved to 8:30 11/13/92 before Mag Judge Francis I. Yamashita ; cc: Smith, Farrell (Ct Rptr :) JUDGE Mag Judge Francis I. Yamashita (tbf) (Entered: 11/12/1992)
11/09/1992	25	MOTION by plaintiff to vacate or reset pretrial statement and trial dates ; certificate of service – referred to Ezra(tbf) Modified on 11/10/1992 (Entered: 11/10/1992)
11/12/1992	27	ORDER by Judge David A. Ezra denying plaintiff's and defendants' motion to vacate trial date as moot [25-1] (cc: all counsel) (tbf) (Entered: 11/13/1992)
11/12/1992	28	ORDER by Judge David A. Ezra affirming in part and reversing in part the report and recommendation of the magistrate; granting summary judgment in favor of plaintiff declaring Hawaii Administrative Rules 17-203-11(g)(4 and (i) unconstitutional; granting summary judgment in favor of defendants dismissing plaintiff's claims for damages; affirming the magistrate's denial of plaintiff's motion to strike defendants' pleadings and to sanction counsel; and denying as moot plaintiff's motion for preliminary injunction [20-1] – (cc: all counsel) (tbf) (Entered: 11/17/1992)
11/24/1992	29	JUDGMENT: summary judgment is entered in favor of defendants and against plaintiff as to plaintiff's claims for damages against defendants for actions in their official and individual capacities; summary judgment is entered in favor of plaintiff and against defendants as to plaintiff's claim that Hi Administrative Rules 17-203-11(g)(4) and (i) are unconstitutional; also Halawa facility is enjoined from enforcing said regulations; also plaintiff's motion for preliminary injunction is denied as moot re [28-1] terminating case (cc: all counsel) (tbf) (Entered: 11/24/1992)
12/04/1992	30	NOTICE OF APPEAL by plaintiff Sabil M. Mujahid from Dist. Court decision [29-2] – CA 92-17082 (cc: all counsel) (vkc) Modified on 01/11/1993 (Entered: 12/04/1992)
12/04/1992		NOTICE OF APPEAL and copy of docket sheet sent to 9th CCA [30-1] (cc: all counsel) (vkc) (Entered: 12/04/1992)
07/22/1993	31	JUDGMENT-9TH CCA affirming the decision of the District Court [30-1] – [filed & entered: 6/28/93, attest date: 7/20/93] (cc: all counsel) (wnn) (Entered: 07/22/1993)