

TERMED

**U.S. District Court Northern District of Indiana [LIVE]
NORTHERN DISTRICT OF INDIANA (South Bend)
CIVIL DOCKET FOR CASE #: 3:87-cv-00420-AS**

Moore v. Final Reviewing Auth, et al
Assigned to: Judge Allen Sharp
Demand: \$420000
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 07/20/1987
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil
Rights
Jurisdiction: Federal Question

Plaintiff

William W Moore
also known as
William W Ward-Bey

represented by **William W Moore**
861003
Wabash Valley Correctional Institution
PO Box 1111
Carlisle, IN 47838
PRO SE

David E Vandercoy
Valparaiso University Law Clinic
Heritage Hall
651 S College
Valparaiso, IN 46383
219-465-7865
Fax: 219-465-7897
Email: david.vandercoy@valpo.edu
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**Final Reviewing Authority Board and
Members**

represented by **David L Steiner**
Indiana Attorney General's Office -
IAG/302
Indiana Government Center South
302 W Washington Street 5th Floor
Indianapolis, IN 46204-2770
317-232-6201
Fax: 317-232-7979
TERMINATED: 05/13/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Wayne E Uhl
Stephenson Morow & Semler

8710 N Meridian St Suite 200
Indianapolis, IN 46260-2331
317-844-3830
Fax: 317-573-4194
Email: wuhl@stephlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**Commissioner of the Indiana
Department of Corrections**

represented by **David L Steiner**
(See above for address)
TERMINATED: 05/13/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Wayne E Uhl
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Jack R Duckworth
*Superintendent of the Indiana State
Prison*

represented by **David L Steiner**
(See above for address)
TERMINATED: 05/13/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Wayne E Uhl
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Capt Kimmel
Indiana State Police Captain

represented by **David L Steiner**
(See above for address)
TERMINATED: 05/13/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Wayne E Uhl
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Sgt H Abbott Jr
Indiana State Police Investigator

represented by **David L Steiner**
(See above for address)
TERMINATED: 05/13/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Wayne E Uhl
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Johnson

*Indiana State Prison Conduct
 Adjustment Board Chairman and
 members*

represented by **David L Steiner**
 (See above for address)
TERMINATED: 05/13/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Wayne E Uhl
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

John Nunn

represented by **David L Steiner**
 (See above for address)
TERMINATED: 05/13/1998
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Wayne E Uhl
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/27/1998	120	MOTION by plaintiff William W Moore for contempt for refusal to comply with agreed settlement and order (Court Employee) Modified on 03/31/1998 (Entered: 03/31/1998)
03/27/1998		REMARK all prior entries are on the paper docket (Court Employee) (Entered: 03/31/1998)
04/02/1998	121	ORDER by Judge Allen Sharp ORDERING clerk to send copy of motion for contempt to IAG; ; IAG to reply to plts's contempt complaint in writing by 5/5/98 (cc: all counsel) (Court Employee) (Entered: 04/06/1998)
04/10/1998	122	ATTORNEY APPEARANCE for defendant Final Reviewing Auth, defendant Comr IN Dept Corr, defendant Jack R Duckworth, defendant Capt Kimmel, defendant H Abbott Jr, defendant Johnson, defendant John Nunn by David L Steiner (Court Employee) (Entered: 04/14/1998)
04/10/1998	123	MOTION by defendant Final Reviewing Auth, defendant Comr IN Dept Corr, defendant Jack R Duckworth, defendant Capt Kimmel, defendant H

		Abbott Jr, defendant Johnson, defendant John Nunn to extend time to/including 5/13/98 to respond to petr's motion for contempt for refusal to comply w/agreed settlement (Court Employee) (Entered: 04/14/1998)
04/10/1998	124	ORDER by Judge Allen Sharp granting motion to extend time to/including 5/13/98 to respond to petr's motion for contempt for refusal to comply w/agreed settlement [123-1] (cc: all counsel) (Court Employee) (Entered: 04/14/1998)
05/13/1998	125	ATTORNEY SUBSTITUTION: terminating attorney David L Steiner for John Nunn, attorney David L Steiner for Johnson, attorney David L Steiner for H Abbott Jr, attorney David L Steiner for Capt Kimmel, attorney David L Steiner for Jack R Duckworth, attorney David L Steiner for Comr IN Dept Corr, attorney David L Steiner for Final Reviewing Auth and substituting attorney Wayne E Uhl (Court Employee) (Entered: 05/14/1998)
05/13/1998	126	RESPONSE by defendant Final Reviewing Auth, defendant Comr IN Dept Corr, defendant Jack R Duckworth, defendant Capt Kimmel, defendant H Abbott Jr, defendant Johnson, defendant John Nunn to motion for contempt for refusal to comply with agreed settlement and order [120-1] (Court Employee) (Entered: 05/14/1998)
05/13/1998	127	MOTION by defendants to seal certain evidentiary materials (Court Employee) (Entered: 05/14/1998)
05/14/1998	128	ORDER by Judge Allen Sharp granting motion to seal certain evidentiary materials [127-1] (cc: all counsel) (Court Employee) (Entered: 05/15/1998)
05/22/1998	129	MOTION by plaintiff William W Moore for leave to file reply to defts' response and pltf's motion for extension of time (Court Employee) (Entered: 05/27/1998)
06/01/1998	130	ORDER by Judge Allen Sharp granting motion for leave to file reply to defts' response and pltf's motion for extension of time [129-1] to 6/21/98 (cc: all counsel) (Court Employee) (Entered: 06/01/1998)
06/01/1998	131	REPLY by plaintiff William W Moore re [126-1] (Court Employee) (Entered: 06/01/1998)
06/18/1998	132	MOTION by defendant Final Reviewing Auth, defendant Comr IN Dept Corr, defendant Jack R Duckworth, defendant Capt Kimmel, defendant H Abbott Jr, defendant Johnson, defendant John Nunn to extend time to 7/17/98 to file memo in support of their response to request for contempt citation (Court Employee) (Entered: 06/18/1998)
06/18/1998	133	ORDER by Judge Allen Sharp granting motion to extend time to 7/17/98 to file memo in support of their response to request for contempt citation [132-1] (cc: all counsel) (Court Employee) (Entered: 06/18/1998)
07/17/1998	134	RESPONSE by defendant Final Reviewing Auth, defendant Comr IN Dept Corr, defendant Jack R Duckworth, defendant Capt Kimmel, defendant H Abbott Jr, defendant Johnson, defendant John Nunn to reply

		[131-1] (Court Employee) (Entered: 07/22/1998)
08/21/1998	135	MOTION by plaintiff William W Moore for temporary restraining order (Court Employee) (Entered: 08/24/1998)
08/21/1998	136	MEMORANDUM by plaintiff William W Moore in support of motion for temporary restraining order [135-1] (Court Employee) (Entered: 08/24/1998)
08/21/1998	137	AFFIDAVIT of William Moore Bey to motion for temporary restraining order [135-1] (Court Employee) (Entered: 08/24/1998)
09/09/1998	138	MEMORANDUM AND ORDER: by Judge Allen Sharp denying motion for contempt for refusal to comply with agreed settlement and order [120-1] and ORDERS deft Commissioner of IN DOC ensure that records in pltf's confidential packet cover by Agreed Order in case be grouped and fastened together and that copy of agreed entry and this order be fastened to those records to prevent future inadvertent inappropriate transfer of these records (cc: all counsel) (Court Employee) (Entered: 09/10/1998)
09/25/1998	139	MOTION by plaintiff William W Moore to alter or amend court's Memorandum and Order of 9/9/98 (mjk) (Entered: 09/28/1998)
10/02/1998	140	MEMORANDUM AND ORDER by Judge Allen Sharp: ddl set for 11/2/98 for Attorney General of Indiana to respond to motion to amend [139-1] (cc: all counsel, Professor Vandercoy) (mjk) (Entered: 10/02/1998)
10/30/1998	141	VERIFIED RESPONSE by defendants to motion to alter or amend court's Memorandum and Order of 9/9/98 [139-1] (slm) (Entered: 10/30/1998)
11/10/1998	142	MEMORANDUM AND ORDER: by Judge Allen Sharp granting summary judgment for defts and against plaintiff; costs are assessed against pltf (cc: all counsel) (Court Employee) (Entered: 11/12/1998)
11/18/1998	143	CLERK'S ENTRY OF JUDGMENT for defendant Final Reviewing Auth, defendant Comr IN Dept Corr, defendant Jack R Duckworth, defendant Capt Kimmel, defendant H Abbott Jr, defendant Johnson, defendant John Nunn against plaintiff William W Moore regarding [142-1]; costs assessed against the plaintiff (cc: all counsel) (Court Employee) (Entered: 11/18/1998)
11/19/1998	144	MOTION by plaintiff William W Moore for evidentiary hearing (Court Employee) (Entered: 11/23/1998)
12/21/1998	145	NOTICE OF APPEAL by plaintiff William W Moore from Dist. Court decision [143-1] (cc: all counsel) (Court Employee) (Entered: 12/23/1998)
12/21/1998	146	DESIGNATION of record on appeal by pltf (Court Employee) (Entered: 12/23/1998)
12/21/1998	147	Docketing Statement by plaintiff William W Moore (Court Employee)

		(Entered: 12/23/1998)
12/21/1998	148	MOTION by plaintiff William W Moore to proceed in forma pauperis on appeal (Court Employee) (Entered: 12/23/1998)
12/23/1998	149	Short record sent to USCA (Court Employee) (Entered: 12/23/1998)
01/05/1999	150	NOTIFICATION by Circuit Court of Appellate Docket Number 98-4276 (Court Employee) (Entered: 01/06/1999)
01/12/1999	151	LETTER from plaintiff William W Moore requesting Transcript Information sheet; form sent (Court Employee) (Entered: 01/22/1999)
02/24/1999	152	MEMORANDUM AND ORDER: by Judge Allen Sharp granting motion to proceed in forma pauperis on appeal; pltf to pay initial partial filing fee of \$22.76; and payments of 20% of preceding month's income when account is over \$10.00, clerk to mail copy to Supt WVCF [148-1] (cc: all counsel) (Court Employee) (Entered: 02/25/1999)
02/25/1999	153	LETTER from plaintiff requesting status of IFP & copy of docket (copy sent) (Court Employee) (Entered: 03/01/1999)
06/21/1999	154	COPY of Appellate Court Order: appellant to show cause by 6/28/99 why appeal should not be dismissed for failure to prosecute (Court Employee) (Entered: 06/22/1999)
07/12/1999	155	MANDATE from Circuit Court of Appeals dismissing the appeal for failure to pay filing fee [145-1] (slm) (Entered: 07/13/1999)
07/26/1999		PARTIAL FILING FEE PAID on 7/26/99 in the amount of \$ 22.76 receipt # 3134732. New Balance Due \$ 82.24. (Court Employee) (Entered: 07/26/1999)
07/27/1999	156	LETTER of transmittal to USCA of receipt for initial partial filing fee (Court Employee) (Entered: 07/28/1999)
08/02/1999	157	COPY of Appellate Court Order: granting motion to recall mandate and vacating mandate of 7/8/99 and this appeal is reinstated (Court Employee) (Entered: 08/03/1999)
08/06/1999	158	COPY of Appellate Court Order: that appellant has to 8/16/99 to file memo why appeal is late;, request extention of time in district court, or file notarised statement of the mailing of the appeal (Court Employee) (Entered: 08/09/1999)
08/20/1999	159	COPY of Appellate Court Order: briefing schedule to proceed (Court Employee) (Entered: 08/24/1999)
11/18/1999	160	MOTION by plaintiff William W Moore for relief pursuant to Rule 60(b) for relief from order of 11/10/98 (sdf) Modified on 11/23/1999 (Entered: 11/19/1999)
11/22/1999	161	CLERK'S record on appeal transmitted to Circuit [145-1] Shipping: UPS Volumes: 1 vol pre-appeal, 1 vol post-appeal, 1 prior appeal record #90-2535 (Court Employee) Modified on 11/23/1999 (Entered: 11/23/1999)

12/01/1999	162	MEMORANDUM AND ORDER: by Judge Allen Sharp regarding [160-1] that none of the relief requested in the filing of 11/18/99 may be considered (cc: all counsel) (Court Employee) (Entered: 12/02/1999)
12/20/1999	163	MOTION by plaintiff William W Moore for ruling on pltf's 11/18/99 motion pursuant to Rule 60(b) (Court Employee) (Entered: 12/21/1999)
12/21/1999	164	ORDER by Judge Allen Sharp finding the motion for ruling on pltf's 11/18/99 motion pursuant to Rule 60(b) [163-1] moot; order of 12/1/99 stands. (cc: all counsel) (Court Employee) (Entered: 12/21/1999)
03/27/2000	165	MOTION by plaintiff William W Moore for contempt for refusal to comply with agreed settlement and orders (Court Employee) (Entered: 03/28/2000)
03/30/2000	166	MANDATE from Circuit Court of Appeals modifying the judgment by deleting the award of costs & otherwise affirming the decision of the District Court [145-1]; Record returned consisting of: 3 volumes pleadings (copy to chambers) (mjk) (Entered: 03/31/2000)
04/27/2000	167	LETTER from plaintiff William W Moore re motion for contempt for refusal to comply with agreed settlement and orders (Court Employee) (Entered: 04/27/2000)
05/15/2000	168	LETTER from plaintiff William W Moore requesting last page docket; sent (Court Employee) (Entered: 05/17/2000)
06/23/2000	169	MOTION by plaintiff William W Moore for ruling on on renewed motion for contempt for refusal to comply with agreed settlement and orders (Court Employee) (Entered: 06/26/2000)
06/30/2000	170	ORDER by Judge Allen Sharp ; Brief ddl set for 8/7/00 for IAG to respond to pltf's motions Number of pages: 2 (cc: all counsel) (Court Employee) (Entered: 06/30/2000)
08/04/2000	171	MOTION by defendant Final Reviewing Auth, defendant Comr IN Dept Corr, defendant Jack R Duckworth, defendant Capt Kimmel, defendant H Abbott Jr, defendant Johnson, defendant John Nunn to extend time to/including 9/7/00 to respond tp pltf's motion for contempt (Court Employee) (Entered: 08/07/2000)
08/04/2000	172	ORDER by Judge Allen Sharp granting motion to extend time to/including 9/7/00 to respond tp pltf's motion for contempt [171-1] Number of pages: 1 (cc: all counsel) (Court Employee) (Entered: 08/07/2000)
09/07/2000	173	MOTION by defendant Final Reviewing Auth, defendant Comr IN Dept Corr, defendant Jack R Duckworth, defendant Capt Kimmel, defendant H Abbott Jr, defendant Johnson, defendant John Nunn to extend time to/including 9/22/00 to respond to pltf' motion for contempt (Court Employee) (Entered: 09/11/2000)
09/07/2000	174	ORDER by Judge Allen Sharp granting motion to extend time to/including 9/22/00 to respond to pltf' motion for contempt [173-1]

		Number of pages: 1 (cc: all counsel) (Court Employee) (Entered: 09/11/2000)
09/22/2000	175	RESPONSE by defendant to motion for ruling on on renewed motion for contempt for refusal to comply with agreed settlement and orders [169-1] (Court Employee) (Entered: 09/23/2000)
09/25/2000	176	ORDER by Judge Allen Sharp denying renewed motion for contempt [165-1]; terminating motion for ruling [169-1] Number of pages: 2 (cc: all counsel) (mjk) (Entered: 09/26/2000)
09/28/2000	177	TENDER OF ORIGINAL DECLARATION of Jack Hendrix (attached) by defendant in support of [175-1] (mjk) (Entered: 09/29/2000)
10/06/2000	178	REPLY by plaintiff William W Moore to deft's response to renewed motion for contempt re [175-1] (lpw) (Entered: 10/06/2000)

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