

CLOSED

**U.S. District Court
District of Kansas (Topeka)
CIVIL DOCKET FOR CASE #: 5:03-cv-03415-CM-DJW**

Waterman v. McGuire et al
Assigned to: District Judge Carlos Murguia
Referred to: Magistrate Judge David J. Waxse
Case in other court: 10CCA, 04-03349
10CCA, 04-03349
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 10/22/2003
Date Terminated: 07/26/2004
Jury Demand: None
Nature of Suit: 555 Habeas Corpus
(Prison Condition)
Jurisdiction: U.S. Government
Defendant

Plaintiff**Craig E Waterman**

represented by **Craig E Waterman**
14121-045
USP-Lewisburg
PO Box 1000
Lewisburg, PA 17837-1000
PRO SE

V.

Defendant

Colleen L McGuire
Commandant

represented by **Connie R. DeArmond**
Office of United States Attorney --
Wichita
1200 Epic Center
301 North Main Street
Wichita, KS 67202
316-269-6481
Fax: 316-269-6484
Email: connie.dearmond@usdoj.gov
ATTORNEY TO BE NOTICED

Defendant

Karen Skaggs
Chief of Inmate Services Branch

represented by **Connie R. DeArmond**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Judy Williams
*Mailroom Clerk and Supervisor (Inmate
Services Branch)*

represented by **Connie R. DeArmond**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
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10/22/2003	1	COMPLAINT filed by Craig E Waterman (smnd) (Entered: 10/24/2003)
10/22/2003	2	MOTION for Leave to Proceed in forma pauperis by Plaintiff Craig E Waterman (Attachments: #(1) Inmate Personal Deposit Fund)(smnd) (Entered: 10/24/2003)
11/05/2003	3	ORDER ENTERED: Within thirty (30) days, plaintiff shall submit an initial partial filing fee of \$5.00. Objections to this order must be filed on or before the date payment is due. Failure to pay the fees as required herein may result in dismissal of this action without prejudice. Signed by Senior Judge G. Thomas VanBebber on 11/05/03. (smnd) (Entered: 11/05/2003)
11/19/2003		PARTIAL FILING fee paid on 11/19/03. Receipt number 047229, in the amount of \$ 5.00. (sal) (Entered: 11/19/2003)
12/23/2003	4	ORDER ENTERED: Plaintiff's motion 2 for leave to proceed in forma pauperis is granted. Collection action shall continue until plaintiff satisfies the \$150.00 filing fee. The clerk of the court shall issue appropriate summons pursuant to Rule 4(d) of the Federal Rules of Civil Procedure. Signed by Senior Judge G. Thomas VanBebber on 12/23/03. (smnd) (Entered: 12/23/2003)
12/23/2003	5	MINUTE ORDER REASSIGNING CASE: Case reassigned to Judge Carlos Murguia for all further proceedings. Judge G. Thomas VanBebber no longer assigned to case. Signed by Deputy Clerk on 12/23/03. (smnd) (Entered: 12/23/2003)
01/05/2004		Summons Issued as to Defendants Colleen L McGuire, Karen Skaggs, Judy Williams, U.S. Attorney and U.S. Attorney General (smnd) (Entered: 01/05/2004)
01/08/2004	6	MOTION for extension of time to file traverse by Plaintiff Craig E Waterman (smnd) (Entered: 01/08/2004)
01/15/2004	7	Summons Returned Executed by personal service upon United States Attorney by serving Brandi Williams, Administrative Clerk, on 01/13/04 (smnd) (Entered: 01/15/2004)
01/21/2004	8	Summons Returned Unexecuted as to Defendant Colleen L McGuire (smnd) (Entered: 01/22/2004)
01/21/2004	9	Summons Returned Unexecuted as to Defendant Karen Skaggs (smnd) (Entered: 01/22/2004)
01/21/2004	10	Summons Returned Unexecuted as to Defendant Judy Williams (smnd) (Entered: 01/22/2004)
01/26/2004	11	MINUTE ORDER STRIKING re 6 MOTION for extension of time. Document filed in wrong case. Counsel directed to take no action. Motions terminated: 6 MOTION for extension of time. Signed by Deputy Clerk on 01/26/04. (smnd) (Entered: 01/26/2004)
01/28/2004	12	Summons Returned Executed by certified mail upon United States

		Attorney General (smnd) (Entered: 01/28/2004)
02/17/2004	13	NOTICE regarding address for service of summons upon defendants by Craig E Waterman (smnd) (Entered: 02/18/2004)
02/24/2004	14	MOTION to Supplement by Plaintiff Craig E Waterman (Attachments: # (1) Prison Legal News)(smnd) (Entered: 02/25/2004)
02/27/2004	15	ORDER ENTERED: Plaintiff's motion 14 to supplement is granted. The clerk of the court shall reissue summons to defendants McGuire, Skaggs and Williams pursuant to Rule 4 of the Federal Rules of Civil Procedure, to be served by a United States Marshal or a Deputy Marshal, at no cost to plaintiff absent a finding by the court that plaintiff is able to pay such costs. Signed by Judge Carlos Murguia on 02/26/04. (smnd) (Entered: 02/27/2004)
03/01/2004		Alias Summons Issued as to Defendants Colleen L McGuire, Karen Skaggs and Judy Williams (smnd) (Entered: 03/01/2004)
03/04/2004	16	MOTION for Extension of Time to File Answer re 1 Complaint by Defendants Colleen L McGuire, Karen Skaggs, Judy Williams (DeArmond, Connie) (Entered: 03/04/2004)
03/05/2004	17	Alias Summons Returned Executed by certified mail upon Defendant Colleen L McGuire; served on 3/3/2004, answer due 5/3/2004 (smnd) (Entered: 03/08/2004)
03/05/2004	18	Alias Summons Returned Executed by certified mail upon Defendant Karen Skaggs; served on 3/3/2004, answer due 5/3/2004 (smnd) (Entered: 03/08/2004)
03/05/2004	19	Alias Summons Returned Executed by certified mail upon Defendant Judy Williams; served on 3/3/2004, answer due 5/3/2004 (smnd) (Entered: 03/08/2004)
03/19/2004	20	ORDER granting 16 Motion for Extension of Time to Answer re 1 Complaint; Answer deadline is extended to 4/12/04. Signed by Judge Carlos Murguia on 3/18/04. (ck) (Entered: 03/19/2004)
03/19/2004	21	RESPONSE by Plaintiff Craig E Waterman re 16 MOTION for Extension of Time to File Answer re 1 Complaint (smnd) (Entered: 03/22/2004)
04/12/2004	22	MOTION for Summary Judgment by Defendants Colleen L McGuire, Karen Skaggs, Judy Williams (DeArmond, Connie) (Entered: 04/12/2004)
04/12/2004	23	MEMORANDUM IN SUPPORT of 22 MOTION for Summary Judgment by Defendants Colleen L McGuire, Karen Skaggs, Judy Williams (Attachments: # 1 Declaration of LTC Peter J. Grande# 2 Declaration of Karen Skaggs# 3 USDB Reg. 28-1)(DeArmond, Connie) (Entered: 04/12/2004)
04/29/2004		PARTIAL FILING fee paid on 4/29/04. Receipt number 047755, in the

		amount of \$8.00. (sal) (Entered: 04/29/2004)
05/03/2004	24	MOTION for Extension of Time to file response as to 22 MOTION for Summary Judgment by Plaintiff Craig E Waterman (smnd) (Entered: 05/03/2004)
05/06/2004	25	ORDER granting 24 Motion for Extension of Time to File Response/Reply re 22 MOTION for Summary Judgment. Response deadline 6/1/2004. Signed by Judge Carlos Murguia on 05/06/2004.(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry) (jc) (Entered: 05/06/2004)
05/20/2004	26	ORDER REFERRING CASE to Magistrate Judge David J. Waxse. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry)(jc) (Entered: 05/20/2004)
06/02/2004	27	CROSS-MOTION for Summary Judgment by Plaintiff Craig E Waterman (Attachments: #(1) Enclosure I; #(2) Exhibit A; #(3) Exhibit B; #(4) Exhibit C; #(5) Exhibit D; #(6) Exhibit E; #(7) Exhibit F)(smnd) (Entered: 06/02/2004)
06/02/2004	28	RESPONSE by Plaintiff Craig E Waterman re 22 MOTION for Summary Judgment (Attachments: #(1) Enclosure I; #(2) Exhibit A; #(3) Exhibit B; #(4) Exhibit C; #(5) Exhibit D; #(6) Exhibit E; #(7) Exhibit F) (smnd) (Entered: 06/02/2004)
06/24/2004	29	REPLY to Response to Motion by Defendants Colleen L McGuire, Karen Skaggs, Judy Williams re: 27 MOTION for Summary Judgment (DeArmond, Connie) (Entered: 06/24/2004)
07/12/2004	30	NOTICE of Change of Address by Department of the Army for Craig E Waterman, #14121-045, now at FCI-Ray Brook, P.O. Box 300, Ray Brook, New York 12977 (smnd) (Entered: 07/12/2004)
07/20/2004	31	MEMORANDUM AND ORDER granting in part and denying in part 22 Motion for Summary Judgment and granting in part and denying in part 27 Cross Motion for Summary Judgment . Signed by Judge Carlos Murguia on 7/20/04. (ck) (Entered: 07/20/2004)
07/20/2004	32	DOCKET ANNOTATION: 31 Order on Motion for Summary Judgment sent by regular and certified mail to Craig E. Waterman: 7002 2030 0000 9349 6768. (ck) (Entered: 07/20/2004)
07/26/2004	33	JUDGMENT regarding Memorandum and Order of 7/20/04 regarding Motions for Summary Judgment. Defendants' motion for summary judgment is granted in part. Plaintiff's cross-motion for summary judgment is granted in part. Signed by deputy clerk on 7/23/04. (km) (Entered: 07/27/2004)
09/08/2004	34	NOTICE of Change of Address by Craig E Waterman, #14121-045, now at USP-Lewisburg, P.O. Box 1000, Lewisburg, Pennsylvania 17837-1000 (smnd) (Entered: 09/08/2004)
09/08/2004	35	NOTICE OF APPEAL as to 31 Order and 33 Judgment by Plaintiff Craig

		E Waterman (smnd) (Entered: 09/15/2004)
09/08/2004		APPEAL FEE STATUS: filing fee PENDING re Notice of Appeal - Final Judgment 35 on behalf of Plaintiff Craig E Waterman (THIS IS A TEXT ONLY ENTRY-NO DOCUMENT IS ASSOCIATED WITH THIS TRANSACTION) (smnd) (Entered: 09/15/2004)
09/15/2004	36	PRELIMINARY RECORD ON APPEAL transmitted to 10CCA re 35 Notice of Appeal - Final Judgment (smnd) (Entered: 09/15/2004)
09/20/2004	37	RECEIPT FROM 10CCA of Preliminary Record on Appeal re 35 Notice of Appeal - Final Judgment (Appeal No. 04-3349) (smnd) (Entered: 09/20/2004)
09/20/2004	38	APPEAL DOCKETED in 10CCA on 09/17/04 and assigned Appeal No. 04-3349 re 35 Notice of Appeal - Final Judgment filed by Craig E Waterman (smnd) (Entered: 09/20/2004)
12/17/2004	39	RECORD ON APPEAL transmitted to 10CCA re 35 Notice of Appeal - Final Judgment (Appeal No. 04-3349) (smnd) (Entered: 12/17/2004)
12/29/2004	40	RECEIPT FROM 10CCA of Record on Appeal re 35 Notice of Appeal - Final Judgment (Appeal No. 04-3349) (smnd) (Entered: 12/29/2004)
04/06/2005	41	APPEAL MANDATE from 10CCA dismissing Notice of Appeal - Final Judgment 35 filed by Craig E Waterman for lack of prosecution pursuant to 10th Cir. R. 42.1(smnd) (Entered: 04/06/2005)
07/15/2005		ORIGINAL FILE RETURNED from 10CCA re 35 Notice of Appeal - Final Judgment (Appeal No. 04-3349), One File and One Expandable (sal) (Entered: 07/15/2005)

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04/30/2007 15:06:31			
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Billable Pages:	3	Cost:	0.24