

TERMED

**U.S. District Court
Western District of Missouri (St. Joseph)
CIVIL DOCKET FOR CASE #: 5:89-cv-06092-HFS**

Madden, et al v. Kemna, et al
Assigned to: Judge Howard F. Sachs
Demand: \$0
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 10/16/1989
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil
Rights
Jurisdiction: Federal Question

Plaintiff**William R Madden**

represented by **Steven G. Emerson**
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Plaintiff**Adam Cooper**

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Plaintiff**Mark Ray**

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Plaintiff**Clyde Fultz**

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Plaintiff**Jeff Danforth**

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Plaintiff**Anthony Garcia**

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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

Myrna E Trickey

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Thomas Alan Sheehan
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Defendant

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Thomas Alan Sheehan
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miscellaneous

David Bruce Lloyd

represented by **David Bruce Lloyd**

506038
WMCC
Western Missouri Correctional Center
609 E. Pence Rd.
Cameron, MO 64429
PRO SE

Date Filed	#	Docket Text
10/16/1989	1	COMPLAINT Under the Civil Rights Act, 42 USC 1983 w/ request to proceed ifp (PROV. filed pursuant to Court en banc Order of 12/3/68. Defects letter to plt. w/ Authorization. (-0- Summons(es) issued) (Court Employee) (Entered: 10/16/1989)
10/16/1989		Notice: Case referred to Pro Se office to Prisoner Pro Se (Court Employee) (Entered: 10/16/1989)
11/03/1989	2	REMARK: Inmate Accounting. (Court Employee) (Entered: 11/06/1989)
11/09/1989	3	MOTION by plaintiff Mark Ray for appointment of counsel (Court Employee) (Entered: 11/13/1989)
11/16/1989	4	ORDER by Judge Howard F. Sachs (1) pltf's granted provisional leave to proceed in forma pauperis; (2) the Clerk of the Court shall obtain service of process by cert. mail; (3) dfts' answer due within 20 days from the date of service. P 035 314 178 to Atty. Gen. (cc: all counsel) (Court Employee) (Entered: 11/20/1989)
11/27/1989	5	MOTION by plaintiff for writ of Adtestificandum (Court Employee) (Entered: 11/28/1989)
11/27/1989	6	MOTION by plaintiff to amend complaint. (Court Employee) (Entered: 11/28/1989)
12/05/1989	7	ORDER by Judge Howard F. Sachs granting motion for appointment of counsel Steven G. Emerson for the Pltfs.(copy filed mailed to atty.) [3-1] (cc: all counsel) (Court Employee) (Entered: 12/08/1989)
12/11/1989	8	Claudia J. York & Thomas A. Sheehan ATTORNEY APPEARANCE for defendants. (Court Employee) (Entered: 12/13/1989)

12/11/1989	9	MOTION by defendants to extend time to answer or otherwise respond to pltfs' complaint. (Court Employee) (Entered: 12/13/1989)
12/11/1989	10	Suggestions by defendants in support of motion to extend time to answer or otherwise respond to pltfs' complaint. [9-1] (Court Employee) (Entered: 12/13/1989)
12/13/1989	11	ATTORNEY APPEARANCE for plaintiffs Steven G. Emerson of MORRIS & LARSON. (Court Employee) (Entered: 12/15/1989)
12/22/1989	13	ORDER by Judge Howard F. Sachs granting motion to extend time to answer or otherwise respond to pltfs' complaint. [9-1] 1/5/90 for David Kormann, for Myrna E Trickey, for George A Lombardi, for Gail Hughes, for Dick D Moore, for Mike Kemna (cc: all counsel) (Court Employee) (Entered: 12/28/1989)
01/05/1990	14	MOTION by defendant to dismiss case (Court Employee) (Entered: 01/09/1990)
01/05/1990	15	Suggestions by defendant in support of motion to dismiss case [14-1] (Court Employee) (Entered: 01/09/1990)
01/09/1990	46	CERTIFICATE by plaintiff of service of request for prod. of documents to dfts. (Court Employee) (Entered: 01/10/1991)
01/09/1990	16	MOTION & Suggestions of plaintiffs to extend time in which to respond to Dfts' Motion to Dismiss. (Court Employee) (Entered: 01/10/1990)
01/17/1990	17	ORDER by Judge Howard F. Sachs granting motion to extend time in which to respond to Dfts' Motion to Dismiss. [16-1] due 2/1/90 (cc: all counsel) (Court Employee) (Entered: 01/19/1990)
01/30/1990	18	MOTION and sugg. by plaintiff to extend time for an add'l ext. of time in which to respond to dfts' motion to dismiss. (Court Employee) (Entered: 01/31/1990)
02/05/1990	19	ORDER by Judge Howard F. Sachs granting motion to extend time for an add'l ext. of time in which to respond to dfts' motion to dismiss. [18-1] re motion to dismiss case [14-1] to & including 2/15/90 to respond (cc: all counsel) (Phyllis Travers) (Entered: 02/06/1990)
02/15/1990	20	MOTION by plaintiffs for leave to file First Amended Complaint in opposition to Dfts' Motion to Dismiss. (Court Employee) (Entered: 02/16/1990)
02/15/1990	21	Suggestions by plaintiff in support of motion for leave to file First Amended Complaint in opposition to Dfts' Motion to Dismiss. [20-1] (Court Employee) (Entered: 02/16/1990)
02/26/1990	22	Dfts' response to pltfs' motion for leave to file first amended complaint in opposition to dfts' motion to dismiss. [20-1] (Court Employee) (Entered: 03/01/1990)
03/22/1990	23	ORDER by Judge Howard F. Sachs granting motion for leave to file First Amended Complaint in opposition to Dfts' Motion to Dismiss. [20-1]

		denying motion to dismiss case [14-1] (cc: all counsel) (Court Employee) (Entered: 03/26/1990)
03/22/1990	24	FIRST AMENDED COMPLAINT (Court Employee) (Entered: 03/26/1990)
04/23/1990	25	Separate ANSWER by defendant Mike Kemna to Plt's First Amended Complaint. (Court Employee) (Entered: 04/24/1990)
04/23/1990	26	MOTION of separate dft. Missouri Dept. of Corrections and Human Resources to dismiss for failure to state a claim upon which relief can be granted. (Court Employee) (Entered: 04/24/1990)
04/23/1990	27	Suggestions in support of motion to dismiss for failure to state a claim upon which relief can be granted. [26-1] (Court Employee) (Entered: 04/24/1990)
04/24/1990	28	Pltfs' reply to motion fo separate Dft. Missouri Dept. of Corrections and Human Resources to dismiss. [26-1] (Court Employee) (Entered: 04/26/1990)
04/30/1990	29	Writ of Habeas Corpus Ad Testificandum. (Court Employee) (Entered: 05/07/1990)
05/01/1990	30	ORDER directing te Superintendent of the WMCC to deliver Randall Lee Smith to the custody of the US Marshal so that te Marshal amy produce him to testify on 5/3/90 at 9:00 a.m. After completion the Marshal is to return Mr. Smith to the custody of the WMCC. ORDERED that the persons to whom t6he Writ was directed shall comply with its terms. by Judge Howard F. Sachs (cc: all counsel) (Court Employee) (Entered: 05/07/1990)
05/03/1990	31	MOTION & sug. by plaintiff for preliminary injunction (Court Employee) (Entered: 05/07/1990)
05/04/1990	32	AFFIDAVIT of Lance L. Furnari, Jerry W. Savoy, Ronnie Lobato, Walter Schubert, Dennis M. ealey, Anthony Garcia, Robert Hamburg, Anthony Ciceralli and Starr K. Swiler. (Court Employee) (Entered: 05/07/1990)
05/08/1990	33	Partial TRANSCRIPT of proceedings of testimony of Mike Kemna for the following date(s): 5/3/90 (Court Employee) (Entered: 05/09/1990)
05/09/1990	34	Suggestions by defendant in opposition motion for preliminary injunction [31-1] (Court Employee) (Entered: 05/11/1990)
05/11/1990	35	MEMORANDUM AND ORDER: by Judge Howard F. Sachs granting motion for preliminary injunction [31-1]; that, pending litigation, dfts Kemna & the director of the Dept of Corrections shall promptly, & w/in no more than 10 days (unless the time is extended by the court f/some compelling reason) comply w/the MO prison regulation mandating that the CO inmates presently housed in protective custody segregation at Cameron, MO, be afforded the same general privileges provided inmates in the general prison population, consistently w/existing available resources of the Dept. of Corrections & the security needs to the Dept. It

		is further Ordered that, no measurable monetary harm to dfts being shown, (on the contrary, each day's delay in providing relief adds to dfts' exposure to damages & attys' fees) & no material availability of plas' funds being established, no bond shall be required as a condition of preliminary injunctive relief in this case. (cc: all counsel) (Phyllis Travers) (Entered: 05/11/1990)
05/16/1990	36	MINUTE ENTRY: Minute sheet of Motion for Preliminary Injunction before the Hon. Howard F.Sachs held on 5/3/90. (cc: all counsel) (Court Employee) (Entered: 05/16/1990)
05/16/1990	37	EXHIBIT LIST (Court Employee) (Entered: 05/16/1990)
05/16/1990	38	EXHIBIT LIST by defendant (Court Employee) (Entered: 05/16/1990)
05/29/1990	39	MOTION by plaintiff to withdraw attorney Steven G. Emerson, of Morris & Larson. (Court Employee) (Entered: 05/30/1990)
05/29/1990	40	ATTORNEY APPEARANCE for plaintiff Steven G.Emerson of Watson,Ess,Marshall & Enggas. (Court Employee) (Entered: 05/30/1990)
10/09/1990	41	ORDER TO SHOW CAUSE: by Judge Howard F. Sachs ORDERED that within 20 days the parties shall submit to the court a report on the status of the pending claims.(cc: all counsel) (Court Employee) (Entered: 10/09/1990)
10/23/1990	42	Plaintiffs' Status Report to the Court. (Court Employee) (Entered: 10/24/1990)
10/29/1990	43	Dfts' Report on the Status of Pending Claims. (Court Employee) (Entered: 11/01/1990)
12/10/1990	44	ORDER by Judge Howard F. Sachs ; Trial in Crt # 2, KCMO 9:30 trial set for 3/11/91 discovery due 2/1/91.iVoir dire and jury inst. due 3/7/91. (cc: all counsel) (Court Employee) (Entered: 12/10/1990)
01/03/1991	45	CERTIFICATE by defendant of service of 1st interrogatories to pla's. (Court Employee) (Entered: 01/07/1991)
01/09/1991	47	CERTIFICATE by plaintiff of service of request for prod. of docm to dfts. (Court Employee) (Entered: 01/10/1991)
02/11/1991	48	CERTIFICATE by defendant of service of response to pls' request for production of documents mailed. (Court Employee) (Entered: 02/13/1991)
02/13/1991	52	CERTIFICATE by plaintiff of service of answers to dfts' 1st interrogatories. (Court Employee) (Entered: 02/20/1991)
02/15/1991	49	REMARK: Plts' statement of anticipated length of trial. (3-4 days) (Court Employee) (Entered: 02/19/1991)
02/15/1991	50	EXHIBIT LIST by plaintiffs. (Court Employee) (Entered: 02/19/1991)

02/15/1991	51	Witness list submitted by plaintiffs. (Court Employee) (Entered: 02/19/1991)
02/19/1991	53	MOTION by defendants for protective order (Court Employee) (Entered: 02/20/1991)
02/19/1991	54	MOTION by defendant for leave to file witness lists, exhibit lists and statement of anticipated length of trial out of time. (Court Employee) (Entered: 02/21/1991)
02/19/1991	55	Witness list submitted by defendant (Court Employee) (Entered: 02/21/1991)
02/19/1991	56	EXHIBIT LIST by defendant (Court Employee) (Entered: 02/21/1991)
02/19/1991	57	REMARK: statement of anticipated Length of Trial (3-4) days. (Court Employee) (Entered: 02/21/1991)
02/25/1991	58	CERTIFICATE by plaintiff of service of answers to dfts'1st interrogatories mailed. (Court Employee) (Entered: 02/26/1991)
02/27/1991	59	ORDER by Judge Howard F. Sachs granting motion for leave to file witness lists, exhibit lists and statement of anticipated length of trial out of time. [54-1] (cc: all counsel) (Court Employee) (Entered: 03/06/1991)
06/03/1991	60	CONFERENCE MEMORANDUM (Settlement check due 6/10/91) (Court Employee) (Entered: 06/04/1991)
06/11/1991	61	Stipulation of dismissal w/prejudice, w/each party to bear its own costs (Phyllis Travers) (Entered: 06/13/1991)
06/19/1991	62	ORDER by Judge Howard F. Sachs granting stipulation of dismissal w/prejudice, w/each party to bear its own costs [61-1] terminating case (cc: all counsel) (Phyllis Travers) (Entered: 06/20/1991)
05/15/1998	63	MOTION by relator David Bruce Lloyd for order to enforce judgment (Court Employee) (Entered: 06/03/1998)
09/16/1998	64	ORDER by Judge Howard F. Sachs denying pro se relator's motion for order to enforce judgment [63-1]. The Clerk is directed to accept no further filings from pro se relator on this matter. Any further filings by Mr. Lloyd in Madden will place relator in contempt of court (cc: all counsel) (Phyllis Travers) (Entered: 09/16/1998)

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