

APPEAL, TERMED

U.S. District Court
Eastern District of Missouri (LIVE) (Hannibal)
CIVIL DOCKET FOR CASE #: 2:84-cv-00103-ERW

Picon, et al v. Morris, et al
Assigned to: Honorable E. Richard Webber
Demand: \$0
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 08/31/1984
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil
Rights
Jurisdiction: Federal Question

Plaintiff**Frank A. Picon**

represented by **Frank A. Picon**
#20512-044
FCI-MEMPHIS
1101 John A. Denie Road
Memphis, TN 38134-0550
PRO SE

Plaintiff**Rodinald Lee Remington**

represented by **Rodinald Lee Remington**
#42193
MCC
Moberly Correctional Ctr
P.O. Box 7
Moberly, MO 65270
PRO SE

Plaintiff**Michael D. Capraro**

represented by **Michael D. Capraro**
#47683
NECC
Northeast Correctional Center
13698 Pike 46 Airport Road
Bowling Green, MO 63334
PRO SE

Plaintiff**Barry McBride**

represented by **Robert J. Guinness**
GUINNESS AND BUEHLER, P.C.
415 N. Second Street
St. Charles, MO 63301
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff**William Cooper**

represented by **William Cooper**
Reg. No. 42908
MCC
Moberly Correctional Ctr
P.O. Box 7
Moberly, MO 65270
PRO SE

V.

Defendant**Terry D. Morris**

represented by **David A. Johnston**
ATTORNEY GENERAL OF
MISSOURI
Assistant Attorney General
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Deborah Neff
ATTORNEY GENERAL OF
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573-751-3321
Fax: 573-751-8464
TERMINATED: 07/23/1996
LEAD ATTORNEY
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Defendant**Jimmie M. Jones**

represented by **David A. Johnston**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Deborah Neff
(See above for address)
TERMINATED: 07/23/1996
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Larry Dittmer**

represented by **David A. Johnston**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Deborah Neff
(See above for address)
TERMINATED: 07/23/1996
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Dan Henry**

represented by **David A. Johnston**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Deborah Neff
(See above for address)
TERMINATED: 07/23/1996
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Tom Anderson**

represented by **David A. Johnston**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Deborah Neff
(See above for address)
TERMINATED: 07/23/1996
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Milton S. Rucker**

represented by **David A. Johnston**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Deborah Neff
(See above for address)
TERMINATED: 07/23/1996
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Andy Thomas

represented by **David A. Johnston**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Deborah Neff
 (See above for address)
TERMINATED: 07/23/1996
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Unknown Lyons**
Captain

represented by **David A. Johnston**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Deborah Neff
 (See above for address)
TERMINATED: 07/23/1996
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Rocky Martin**
Lieutenant

represented by **David A. Johnston**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Deborah Neff
 (See above for address)
TERMINATED: 07/23/1996
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/30/1992	1	MEMORANDUM AND ORDER: by Honorable Catherine D. Perry Ordered that the motion of Barry McBride for contempt is denied as moot. Further Ordered that the 3/8/89 Order of Magistrate Judge Robert D. Kingsland ordering that the cause be dismissed with prejudice is MODIFIED only to the extent that the Court shall retain jurisdiction solely for the purposes of enforcement of modification of the ongoing consent decree. (cc: all counsel) (FCE) (Entered: 02/20/1996)
08/17/1995	2	MOTION by petitioners for an order to show cause why defts should not be adjudged in contempt of court (FCE) (Entered: 02/20/1996)
09/08/1995	3	RESPONSE by respondents to motion for an order to show cause why defts should not be adjudged in contempt of court [2-1] (FCE) (Entered: 02/20/1996)

		02/20/1996)
09/14/1995	4	REPLY by petitioners to response to motion for an order to show cause why defts should not be adjudged in contempt of court [2-1] (FCE) (Entered: 02/20/1996)
02/08/1996		ORDER by Honorable Jean C. Hamilton Case reassigned to Honorable E. R. Webber (cc: all counsel) (LSD) Modified on 02/13/1996 (Entered: 02/13/1996)
02/16/1996	5	MAIL Returned [0-2] addressed to plaintiff Rodinald Lee Remington marked moved, left no address (FCE) (Entered: 02/20/1996)
02/20/1996	7	LETTER from plaintiff Michael Capraro requesting copy of docket sheet. Copy of docket sheet forwarded. (FCE) (Entered: 02/26/1996)
02/23/1996	6	MAIL Returned [0-2] addressed to plaintiff Frank A. Picon (FCE) (Entered: 02/26/1996)
07/17/1996	8	MEMORANDUM AND ORDER: by Honorable E. R. Webber granting motion for an order to show cause why defts should not be adjudged in contempt of court [2-1] ; response to order show cause by 8/19/96 by defts why they should not be held in contempt of court for allegedly violating the consent decree. (cc: all counsel) (FCE) (Entered: 07/23/1996)
07/19/1996	9	MAIL Returned [8-2] addressed to plaintiff Rodinald Lee Remington (Contacted Fulton Reception and Diagnostic Center, pltf released from PAROLL in August of 1991, whereabouts unknown) (FCE) (Entered: 07/24/1996)
07/23/1996	10	LETTER from all defendants' attorney of record Deborah Neff indicating her withdrawl and substitution of David Johnston as counsel. (FCE) (Entered: 07/24/1996)
08/12/1996	11	MOTION by defendants to extend time to reply to show cause for 30 days (FCE) (Entered: 08/21/1996)
08/22/1996	12	RULED DOCUMENT by Honorable E. R. Webber granting motion to extend time to reply to show cause for 30 days GRANTED 8/22/96 [11-1] (cc: all counsel) (ARL) (Entered: 08/29/1996)
09/12/1996	13	MAIL Returned [11-1] addressed to plaintiff Frank A. Picon; Inmate moved and left no forwarding address (FCE) (Entered: 09/17/1996)
09/16/1996	14	MOTION w/incorporated suggestions in sppt. by defendant to extend time to & including 14 days to file reply to Motion for order to show cause (LSD) (Entered: 09/18/1996)
09/19/1996	15	ORDER by Honorable E. R. Webber granting motion to extend time to & including 14 days to file reply to Motion for order to show cause [14-1] (cc: all counsel) (FCE) (Entered: 09/24/1996)
09/26/1996	16	RESPONSE to order show cause by defendants' [8-2]. (attachments are in a separate accordian folder) (LGK) (Entered: 09/30/1996)

09/27/1996	17	MOTION by plaintiff Frank A. Picon for order to produce exhibits , for extension of time (30 days) to file reply and request that this court send plaintiffs a copy of its order of July 17, 1996 (FCE) (Entered: 10/02/1996)
09/30/1996	18	MAIL Returned [15-1] addressed to plaintiff Frank A. Picon marked return to sender, inmate moved left no address (FCE) (Entered: 10/03/1996)
10/01/1996	19	RESPONSE by all defendants to motion for order to produce exhibits [17-1], to motion for extension of time (30 days) to file reply [17-2] (FCE) (Entered: 10/04/1996)
10/04/1996	20	MAIL Returned [15-1] addressed to plaintiff Rodinald Lee Remington marked "addressee unknown" (FCE) (Entered: 10/11/1996)
10/08/1996	21	EMERGENCY MOTION by plaintiff Frank A. Picon, plaintiff Rodinald Lee Remington, plaintiff Michael Capraro, plaintiff Barry McBride for protection , and or for restraining order (FCE) (Entered: 10/11/1996)
10/08/1996	22	MOTION by plaintiff Frank A. Picon, plaintiff Rodinald Lee Remington, plaintiff Michael Capraro, plaintiff Barry McBride for sanctions (FCE) (Entered: 10/11/1996)
10/09/1996	23	RESPONSE by defendant Terry D. Morris, defendant Jimmie M. Jones, defendant Larry Dittmer, defendant Dan Henry, defendant Tom Anderson, defendant Milton S. Rucker, defendant Andy Thomas, defendant Unknown Lyons, defendant Rocky Martin to motion for sanctions [22-1] (FCE) (Entered: 10/11/1996)
10/16/1996	24	RESPONSE by defendants to motion for protection [21-1], to motion for restraining order [21-2] (FCE) (Entered: 10/18/1996)
11/25/1996	25	REPLY by plaintiff Frank A. Picon re [16-1] LEAVE TO FILE IN EXCESS OF PAGE LIMITATION IS GRANTED ERW. (CLA) (Entered: 11/26/1996)
12/06/1996	26	MAIL Returned [25-1] addressed to plaintiff Rodinald Lee Remington. (FCE) (Entered: 12/12/1996)
12/10/1996	27	MAIL Returned [25-1] addressed to plaintiff Frank A. Picon, released from FCI Memphis on Feb. 1990. (FCE) (Entered: 12/12/1996)
12/27/1996	28	AFFIDAVIT of Norman E. Douglas (FCE) (Entered: 12/31/1996)
08/12/1997	29	MEMORANDUM AND ORDER: by Honorable E. R. Webber denying motion for an order to show cause why defts should not be adjudged in contempt of court [2-1] denying motion for sanctions [22-1] denying as moot motion for order to produce exhibits [17-1], denying as moot motion for extension of time (30 days) to file reply [17-2] denying without prejudice motion for protection [21-1], denying without prejudice motion for restraining order [21-2]. A separate Judgment shall accompany this Memorandum and Order (cc: all counsel) (MCB) (Entered: 08/13/1997)

08/12/1997	30	ORDER OF DISMISSAL by Honorable E. R. Webber IT IS HEREBY ORDERED that plaintiff Gerald Bereuter's motion to fashion emergency relief and a restraining order against defendants is DISMISSED without prejudice. (cc: all counsel) (MCB) (Entered: 08/13/1997)
08/21/1997	31	MAIL Returned [30-1], [29-1] addressed to plaintiff Rodinald Lee Remington (Contacted Fulton Reception & Diagnostic Center "Crystal", Deft completed sentence on 8/27/91 and is not currently on parole). (FCE) (Entered: 08/25/1997)
09/08/1997	32	NOTICE OF APPEAL filed by plaintiff William Cooper re: the District Court decision ; [30-1], [29-1] fee: \$ ifp case forwarded to pro se law clerks for IFP on Appeal review. (FCE) (Entered: 09/16/1997)
09/24/1997	33	ORDER by Honorable E. R. Webber IT IS HEREBY ORDERED that w/in 30 days (by 10/24/97) from the date of this order, plf shall pay to this Court the full \$105.00 filing and docketing fee for filing an appeal ; initial partial filing fee ddl set 10/24/97 (cc: all counsel) (FCE) (Entered: 09/25/1997)
09/29/1997	34	MAIL Returned [33-2] addressed to plaintiff Rodinald Lee Remington (BAK) (Entered: 10/01/1997)
09/30/1997		DELIVERED TO USCA - 1 Civil Appeal Cover Sheet, 2 Certified Copies of Notice of Appeal filed by William Cooper, 2 Certified Copies of Clerk's Docket entries, 2 copies of ORDER (ERW) filed 9/24/97 and 2 copies of ORDER/MEMO/ORDER (ERW) filed 8/12/97. Copy of NOA to Judge Webber. cc: NOA and Clerk's docket entries to parties. (FCE) (Entered: 09/30/1997)
09/30/1997		ENTIRE FILE SENT TO (USCA) - # of Volumes: 4 (FCE) (Entered: 09/30/1997)
10/03/1997	35	ORDER FROM USCA The appellant is directed to pay the \$105.00 filing fees to the Clerk of the United States District Court by November 3, 1997. If the appellant fails to act by that date, the appeal will be dismissed for failure to prosecute. copy filed USCA number: 97-3578 (BAK) (Entered: 10/06/1997)
12/02/1997	36	MANDATE W/OPINION ATTACHED from (USCA) dismissing the appeal for failure to prosecute [32-1] (cc: all counsel) (CMA) (Entered: 12/05/1997)
12/08/1997	37	MAIL Returned [36-1] addressed to plaintiff Rodinald Lee Remington; attempt to locate addressee's new address was unsuccessful - has been released from prison - no forwarding address (BAK) (Entered: 12/11/1997)
01/08/1998	38	ORDER FROM USCA copy filed USCA number: 97-3578. The suggestion for rehearing en banc is denied. The petition for rehearing by the panel is also denied. (BAK) Modified on 01/14/1998 (Entered: 01/12/1998)
04/28/1999		GENERIC SCHEDULING EVENT ; Response to Court ddl satisfied

(FCE) (Entered: 04/28/1999)

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