

**U.S. District Court
EASTERN DISTRICT OF NORTH CAROLINA (Western Division)
CIVIL DOCKET FOR CASE #: 5:06-ct-03135-FL**

Urbaniak v. Stanley et al
Assigned to: Chief Judge Louise Wood Flanagan
Case in other court: 10--6211
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 12/12/2006
Date Terminated: 08/27/2010
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Joseph John Urbaniak, Jr.

represented by **J. Phillip Griffin , Jr.**
N. C. Prisoner Legal Services, Inc.
P. O. Box 25397
Raleigh, NC 27611-5397
919-856-2200
Fax: 856-2223
Email: pgriffin@ncpls.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dawn Ducoste
NC Prisoner Legal Services, Inc.
1110 Wake Forest Rd.
P. O. Box 25397
Raleigh, NC 27604
919-865-4806
Fax: 919-856-2200
Email: dducoste@ncpls.org
TERMINATED: 09/01/2009

V.

Consol Plaintiff

Edward Allen

represented by **J. Phillip Griffin , Jr.**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dawn Ducoste
(See above for address)
TERMINATED: 09/01/2009

Consol Plaintiff

Shawn Derrick Bonnett

represented by **J. Phillip Griffin , Jr.**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dawn Ducoste
(See above for address)
TERMINATED: 09/01/2009

Consol Plaintiff

Angel Guevara

represented by **J. Phillip Griffin , Jr.**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dawn Ducoste

(See above for address)
TERMINATED: 09/01/2009

Consol Plaintiff

Soviet Howie

represented by **J. Phillip Griffin , Jr.**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dawn Ducoste
(See above for address)
TERMINATED: 09/01/2009

Consol Plaintiff

Lyle May

represented by **J. Phillip Griffin , Jr.**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dawn Ducoste
(See above for address)
TERMINATED: 09/01/2009

Consol Plaintiff

Saiyd Muhammad

represented by **J. Phillip Griffin , Jr.**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dawn Ducoste
(See above for address)
TERMINATED: 09/01/2009

Consol Plaintiff

S. Shane Smith

represented by **J. Phillip Griffin , Jr.**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dawn Ducoste
(See above for address)
TERMINATED: 09/01/2009

Consol Plaintiff

Larry Eugene Smith, Jr.

represented by **J. Phillip Griffin , Jr.**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dawn Ducoste
(See above for address)
TERMINATED: 09/01/2009

V.

Defendant

Sgt Donnie Stanley
TERMINATED: 05/18/2007

represented by **James Philip Allen**
N. C. Dept. of Justice
P. O. Box 629
Raleigh, NC 27602-0629
919-716-6541

Fax: 919-716-6761
Email: pallen@ncdoj.gov
TERMINATED: 07/30/2010
LEAD ATTORNEY

Defendant

Capt. John Meeks
TERMINATED: 05/18/2007

represented by **James Philip Allen**
(See above for address)
TERMINATED: 07/30/2010
LEAD ATTORNEY

Defendant

Lt. Thomas Tart
TERMINATED: 05/18/2007

represented by **James Philip Allen**
(See above for address)
TERMINATED: 07/30/2010
LEAD ATTORNEY

Defendant

Cpt. A. L. Gregory
TERMINATED: 05/18/2007

represented by **James Philip Allen**
(See above for address)
TERMINATED: 07/30/2010
LEAD ATTORNEY

Defendant

Sherwood R. McCabe
TERMINATED: 01/18/2007

Defendant

Joseph B. Hall

represented by **Peter Andrew Regulski**
N.C. Department of Justice
P.O. Box 629
Raleigh, NC 27602-0629
919-716-6544
Email: pregulski@ncdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Philip Allen
(See above for address)
TERMINATED: 07/30/2010

Defendant

Jerry McQueen
TERMINATED: 01/18/2007

Defendant

James Currin
TERMINATED: 05/18/2007

represented by **James Philip Allen**
(See above for address)
TERMINATED: 07/30/2010
LEAD ATTORNEY

Defendant

C/O Rodney S. Jackson
TERMINATED: 05/18/2007

represented by **James Philip Allen**
(See above for address)
TERMINATED: 07/30/2010
LEAD ATTORNEY

Defendant

Gerotha R. Spain

TERMINATED: 01/18/2007

Defendant

Officer Kenneth Jones

TERMINATED: 01/18/2007

Defendant

J. Baker Williams

TERMINATED: 01/18/2007

Defendant

Norma Batten

TERMINATED: 05/18/2007

represented by **James Philip Allen**
(See above for address)
TERMINATED: 07/30/2010
LEAD ATTORNEY

Defendant

Cordelia Clark

TERMINATED: 05/18/2007

represented by **James Philip Allen**
(See above for address)
TERMINATED: 07/30/2010
LEAD ATTORNEY

Peter Andrew Regulski
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

R. C. Lewis

TERMINATED: 05/18/2007

represented by **James Philip Allen**
(See above for address)
TERMINATED: 07/30/2010
LEAD ATTORNEY

Defendant

B. A. Thompson

TERMINATED: 01/18/2007

Defendant

Theodis Beck

Secretary of the NC DOC
TERMINATED: 07/27/2010

represented by **James Philip Allen**
(See above for address)
TERMINATED: 07/30/2010
LEAD ATTORNEY

Defendant

Boyd Bennett

Director of NC Prisons
TERMINATED: 07/27/2010

represented by **James Philip Allen**
(See above for address)
TERMINATED: 07/30/2010
LEAD ATTORNEY

Defendant

NC Area Administrato Robert C. Lewis

represented by **Peter Andrew Regulski**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Alvin W. Keller

represented by **Peter Andrew Regulski**
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

V.

Consol Defendant

Secretary of Correct Theodis Beck
TERMINATED: 07/27/2010

represented by **James Philip Allen**
(See above for address)
TERMINATED: 07/30/2010
LEAD ATTORNEY

Consol Defendant

Director Boyd Bennett
TERMINATED: 07/27/2010

represented by **James Philip Allen**
(See above for address)
TERMINATED: 07/30/2010
LEAD ATTORNEY

Consol Defendant

Cordelia Clark

represented by **James Philip Allen**
(See above for address)
TERMINATED: 07/30/2010
LEAD ATTORNEY

Peter Andrew Regulski
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

Michael Rankins

represented by **Michael Rankins**
0335880
Lanesboro Correctional Institution
P.O. Box 280
Polkton, NC 28135
PRO SE

Date Filed	#	Docket Text
12/12/2006	<u>1</u>	COMPLAINT against James Currin, Rodney S. Jackson, Gerotha R. Spain, Kenneth Jones, J. Baker Williams, Norma Batten, Cordelia Clark, R. C. Lewis, B. A. Thompson, Donnie Stanley, John Meeks, Thomas Tart, A. L. Gregory, Sherwood R. McCabe, Joseph B. Hall, Jerry McQueen , filed by Joseph John Urbaniak, Jr. (Attachments: # <u>1</u> Envelope)(Deputy Clerk – AEB,) (Entered: 12/12/2006)
12/12/2006	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by Joseph John Urbaniak, Jr. (Deputy Clerk – AEB,) (Entered: 12/12/2006)
12/12/2006	<u>3</u>	ORDER Directing Monthly Payments be made from Prison Account of Joseph Urbaniak. Signed by Acting Clerk of Court on 12/12/06. (Deputy Clerk – AEB,) (Entered: 12/12/2006)
01/18/2007	<u>4</u>	ORDER DISMISSING Claims AS FRIVOLOUS as to Sherwood R. McCabe; Jerry McQueen; Gerotha R. Spain; B. A. Thompson; J. Baker Williams; Joseph B. Hall and Kenneth Jones and ORDER DIRECTING CLERK TO CONTINUE MANAGEMENT OF CASE as to remaining claims . Signed by Judge Louise Wood Flanagan on 1/18/2007. (Deputy Clerk – GM,) (Entered: 01/18/2007)
01/18/2007	<u>5</u>	ORDER of Investigation--NCPLS to investigate pltf's claims; Response by NCPLS due by 04/18/2007 cc to pltf. w/notice and waiver form and cc to NCPLS and NCAG. Signed by Brooks, Acting Clerk of Court on 1/18/2007. (Deputy Clerk – GM,) (Entered: 01/18/2007)

01/22/2007	<u>6</u>	Summons Issued as to James Currin, Rodney S. Jackson, Norma Batten, Cordelia Clark, R. C. Lewis, Donnie Stanley, John Meeks, Thomas Tart, A. L. Gregory. (Deputy Clerk – AEB,) (Entered: 01/22/2007)
01/23/2007	<u>7</u>	Acceptance by plaintiff of Investigation by NCPLS by Joseph John Urbaniak, Jr. (Attachments: # <u>1</u> Envelope)(Deputy Clerk – GM,) (Entered: 01/23/2007)
01/23/2007	<u>8</u>	ORDER directing the USM to make service on behalf of the plaintiff.. Signed by Judge William A. Webb on 1/23/07. (Deputy Clerk – AEB,) (Entered: 01/23/2007)
02/12/2007		Filing fee: \$ 2.00, receipt number 105 29184 (Deputy Clerk – AEB,) (Entered: 02/13/2007)
02/13/2007	<u>9</u>	SUMMONS Returned Executed James Currin served on 1/24/2007, answer due 2/13/2007; Rodney S. Jackson served on 1/24/2007, answer due 2/13/2007; Norma Batten served on 1/24/2007, answer due 2/13/2007; Cordelia Clark served on 1/24/2007, answer due 2/13/2007; R. C. Lewis served on 1/24/2007, answer due 2/13/2007; Donnie Stanley served on 1/24/2007, answer due 2/13/2007; John Meeks served on 1/24/2007, answer due 2/13/2007; Thomas Tart served on 1/24/2007, answer due 2/13/2007; A. L. Gregory served on 1/24/2007, answer due 2/13/2007. (Deputy Clerk – AEB,) (Entered: 02/14/2007)
03/08/2007		Filing fee: \$ 27.94, receipt number 104 25177 (Deputy Clerk – AEB,) (Entered: 03/08/2007)
04/13/2007		Filing fee: \$ 10.47, receipt number 104 25445 (Deputy Clerk – GM,) (Entered: 04/13/2007)
04/18/2007	<u>10</u>	RESPONSE to Order of Investigation filed by Joseph John Urbaniak, Jr. (Griffin, J.) (Entered: 04/18/2007)
05/09/2007	<u>11</u>	MOTION for Extension of Time to File Answer by James Currin, Rodney S. Jackson, Norma Batten, Cordelia Clark, R. C. Lewis, Donnie Stanley, John Meeks, Thomas Tart, A. L. Gregory. (Attachments: # <u>1</u> Text of Proposed Order)(Allen, James) (Entered: 05/09/2007)
05/11/2007	<u>12</u>	ORDER granting <u>11</u> Motion for Extension of Time to Answer until 30 days after NCPLS files an amended complaint on behalf of plaintiff . Signed by Iavarone Clerk of Court on 5/10/2007. (Deputy Clerk – GM,) (Entered: 05/11/2007)
05/11/2007	<u>13</u>	AMENDED COMPLAINT against all defendants, filed by Joseph John Urbaniak, Jr.(Griffin, J.) (Entered: 05/11/2007)
05/18/2007	<u>14</u>	NOTICE of Voluntary Dismissal by Joseph John Urbaniak, Jr (Griffin, J.) (Entered: 05/18/2007)
05/18/2007	<u>15</u>	ANSWER to Amended Complaint by Theodis Beck, Boyd Bennett, Joseph B. Hall.(Allen, James) (Entered: 05/18/2007)
05/18/2007	<u>16</u>	REQUEST FOR DISCOVERY Stipulation sent to all parties(Deputy Clerk – GM,) (Entered: 05/18/2007)
05/18/2007		Set/Reset Deadlines: Discovery Plan due by 6/7/2007. (Deputy Clerk – GM,) (Entered: 05/18/2007)
05/21/2007	<u>17</u>	NOTICE of Appearance by J. Phillip Griffin, Jr on behalf of Joseph John Urbaniak, Jr (Griffin, J.) (Entered: 05/21/2007)
05/30/2007		Filing fee: \$ 14.00, receipt number 104 25850 (Deputy Clerk – AEB,) (Entered: 05/31/2007)
06/07/2007	<u>18</u>	REPORT of Rule 26(f) Planning Meeting by Joseph John Urbaniak, Jr. (Griffin, J.) (Entered: 06/07/2007)
07/03/2007		Filing fee: \$ 4.00, receipt number 104 26172 (Deputy Clerk – GM,) (Entered: 07/03/2007)
07/11/2007	<u>19</u>	NOTICE of Appearance by Dawn Ducoste on behalf of Joseph John Urbaniak, Jr (Ducoste, Dawn) (Entered: 07/11/2007)

07/11/2007		NOTICE OF CORRECTION re: <u>19</u> Notice of Appearance–Corrected the docket to reflect that attorney Phil Griffin is to be noticed. (Deputy Clerk – SC,) (Entered: 07/11/2007)
07/16/2007	<u>20</u>	SCHEDULING ORDER:Discovery due by 11/8/2007,Motions due by 12/7/2007. Signed by Judge William A. Webb on 7/16/2007. (Deputy Clerk – GM,) (Entered: 07/16/2007)
08/08/2007		Filing fee: \$ 7.00, receipt number 104 26563 (Deputy Clerk – GM,) (Entered: 08/08/2007)
09/06/2007		Filing fee: \$ 7.00, receipt number 105 31208 (Deputy Clerk – GM,) (Entered: 09/06/2007)
11/08/2007		Filing fee: \$ 14.00, receipt number 104 27429 (Deputy Clerk – AEB,) (Entered: 11/13/2007)
11/29/2007	<u>21</u>	MOTION to Consolidate Cases <i>and Certify Class</i> by Joseph John Urbaniak, Jr. (Griffin, J.) (Entered: 11/29/2007)
11/29/2007	<u>22</u>	Memorandum in Support of <i>Joint Motions to Consolidate and Certify Class</i> filed by Joseph John Urbaniak, Jr. (Griffin, J.) (Entered: 11/29/2007)
11/30/2007		Motions Submitted to Staff Counsel II: <u>21</u> MOTION to Consolidate Cases <i>and Certify Class</i> (Deputy Clerk – GM,) (Entered: 11/30/2007)
01/02/2008		Filing fee: \$ 18.00, receipt number 104 27910 (Deputy Clerk – AEB,) (Entered: 01/02/2008)
02/05/2008		Filing fee: \$ 7.00, receipt number 104 28248 (Deputy Clerk – GM,) (Entered: 02/05/2008)
03/04/2008		Filing fee: \$ 16.58, receipt number 104 28449 (Deputy Clerk – AEB,) (Entered: 03/04/2008)
04/02/2008		Filing fee: \$ 17.00, receipt number RAL000046 (Deputy Clerk – AEB,) (Entered: 04/03/2008)
05/30/2008	<u>23</u>	ORDER granting <u>21</u> Motion to Consolidate Cases and to certify the class as a class action; All future filings shall bear both captions and all future docket entries shall be docketed in the lead case, Urbaniak v. Stanley, No. 5:06–CT–3135–FL. Signed by Chief Judge Louise Wood Flanagan on 5/30/2008. (Deputy Clerk – GM,) (Entered: 05/30/2008)
06/03/2008		Filing fee: \$ 14.00, receipt number RAL001180 (Deputy Clerk – GM,) (Entered: 06/03/2008)
07/03/2008		Filing fee: \$ 7.00, receipt number RAL001729 (Deputy Clerk – GM,) (Entered: 07/03/2008)
08/11/2008		Filing fee: \$ 11.00, receipt number RAL 002474 (Bunn, A.) (Entered: 08/11/2008)
08/13/2008		Filing fee: \$ 4.00, receipt number RAL002553 (Indig, A.) (Entered: 08/13/2008)
09/02/2008		Filing fee: \$ 7.00, receipt number RAL002789 (McDowell, G.) (Entered: 09/02/2008)
10/02/2008		Filing fee: \$ 7.00, receipt number RAL003342 (McDowell, G.) (Entered: 10/02/2008)
11/04/2008		Filing fee: \$ 7.40, receipt number RAL003919 (McDowell, G.) (Entered: 11/04/2008)
12/03/2008		Filing fee: \$ 7.40, receipt number RAL004381 (McDowell, G.) (Entered: 12/03/2008)
01/08/2009		Filing fee: \$ 12.87, receipt number RAL004955 (McDowell, G.) (Entered: 01/08/2009)
02/04/2009		Filing fee: \$ 7.00, receipt number RAL005356 (McDowell, G.) (Entered: 02/05/2009)

03/03/2009		Filing fee: \$ 7.00, receipt number RAL005817 (McDowell, G.) (Entered: 03/03/2009)
04/02/2009		Filing fee: \$ 28.20, receipt number RAL006352 (McDowell, G.) (Entered: 04/02/2009)
04/22/2009	<u>24</u>	Document: Notice of objection to class action settlement proposal filed by Roger Stevenson (Attachments: # <u>1</u> Envelope) (Shannon, K.) (Entered: 04/22/2009)
05/07/2009		Filing fee: \$ 19.00, receipt number RAL006935 (McDowell, G.) (Entered: 05/08/2009)
06/04/2009		Filing fee: \$ 6.00, receipt number RAL007342 (Indig, A.) (Entered: 06/05/2009)
07/02/2009	<u>25</u>	NOTICE by Joseph John Urbaniak, Jr <i>Joint Status Report</i> (Ducoste, Dawn) (Entered: 07/02/2009)
07/06/2009		Filing fee: \$ 26.00, receipt number RAL007820 (McDowell, G.) (Entered: 07/06/2009)
08/05/2009		Filing fee: \$ 21.00, receipt number RAL008395 (Indig, A.) (Entered: 08/05/2009)
08/27/2009	<u>26</u>	MOTION to Withdraw as Attorney by Dawn Ducoste of North Carolina Prisoner Legal Services by Joseph John Urbaniak, Jr. (Attachments: # <u>1</u> Text of Proposed Order to Withdraw) (Ducoste, Dawn) (Entered: 08/27/2009)
09/01/2009	<u>27</u>	ORDER granting <u>26</u> Motion to Withdraw as Attorney. Attorney Dawn Ducoste terminated. Signed by Chief Judge Louise Wood Flanagan on 9/1/2009. (McDowell, G.) (Entered: 09/01/2009)
09/02/2009		Filing fee: \$7.00, receipt number RAL008835 (Indig, A.) (Entered: 09/03/2009)
09/24/2009	<u>28</u>	STATUS REPORT by Joseph John Urbaniak, Jr. (Griffin, J.) (Entered: 09/24/2009)
10/02/2009		Filing fee: \$ 6.14, receipt number RAL009308 PAID IN FULL (McDowell, G.) (Entered: 10/02/2009)
12/14/2009	<u>29</u>	MOTION for leave to file an Amended Complaint by Michael Rankins. (Attachments: # <u>1</u> Envelope) (McDowell, G.) Modified on 12/16/2009 (McDowell, G.). (Entered: 12/16/2009)
12/14/2009	<u>30</u>	MOTION for Preliminary Injunction by Michael Rankins.. (McDowell, G.) (Entered: 12/16/2009)
12/16/2009		NOTICE OF CORRECTION re: <u>29</u> Motion for leave to filed amended complaint. The filer was corrected to show Michael Rankins (McDowell, G.) (Entered: 12/16/2009)
01/14/2010		Motions Submitted to Staff Counsel II: <u>30</u> MOTION for Preliminary Injunction, <u>29</u> MOTION to Amend/Correct (McDowell, G.) (Entered: 01/14/2010)
01/26/2010	<u>31</u>	ORDER dismissing without prejudice <u>29</u> Motion to Amend/Correct; dismissing without prejudice <u>30</u> Motion for Preliminary Injunction. Signed by Chief Judge Louise Wood Flanagan on 1/25/2010. (McDowell, G.) (Entered: 01/26/2010)
01/26/2010	<u>32</u>	ORDER TO SHOW CAUSE why the court should not now set the case for trial at its next regular civil session; Show Cause Response due by 2/9/2010. Signed by Chief Judge Louise Wood Flanagan on 1/26/2010. (McDowell, G.) (Entered: 01/26/2010)
02/02/2010	<u>33</u>	NOTICE OF INTERLOCUTORY APPEAL as to <u>31</u> Order on Motion to Amend/Correct, Order on Motion for Preliminary Injunction by Michael Rankins. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 02/02/2010)
02/02/2010	<u>34</u>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>33</u> Notice of Interlocutory Appeal (McDowell, G.) (Entered: 02/02/2010)
02/05/2010	<u>35</u>	MOTION for relief from order pursuant to F.R.C.P. 60 by Michael Rankins. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Envelope) (McDowell, G.) (Entered: 02/05/2010)

02/05/2010		Motions Submitted to Staff Counsel II: <u>35</u> MOTION for relief from order pursuant to F.R.C.P. 60 (McDowell, G.) (Entered: 02/05/2010)
02/08/2010	<u>36</u>	RESPONSE to Order re <u>32</u> Order to Show Cause filed by Theodis Beck, Boyd Bennett, Cordelia Clark, Theodis Beck, Boyd Bennett, Joseph B. Hall. (Allen, James) (Entered: 02/08/2010)
02/09/2010	<u>37</u>	USCA Case Number 10--6211 (J. Neal) for <u>33</u> Notice of Interlocutory Appeal filed by Michael Rankins. (McDowell, G.) (Entered: 02/09/2010)
02/11/2010	<u>38</u>	MOTION to Appoint Counsel by Michael Rankins. (Attachments: # <u>1</u> Envelope) (Indig, A.) (Entered: 02/11/2010)
02/22/2010	<u>39</u>	ORDER denying <u>35</u> Motion for relief from order pursuant to F.R.C.P. 60; denying <u>38</u> Motion to Appoint Counsel; the parties now have until March 23, 2010, within which to submit the settlement documentation at issue in the litigation. Signed by Chief Judge Louise Wood Flanagan on 2/22/2010. (McDowell, G.) (Entered: 02/22/2010)
03/03/2010	<u>40</u>	ORDER of USCA as to <u>33</u> Notice of Interlocutory Appeal filed by Michael Rankins. The Court denies the application to proceed without prepayment of fees under the Prison Litigation Reform Act. (Indig, A.) (Entered: 03/03/2010)
03/22/2010	<u>41</u>	MOTION for Appointment of Counsel by Michael Rankins. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 03/22/2010)
03/23/2010	<u>42</u>	SETTLEMENT AGREEMENT <i>Stipulated Consent Decree</i> by Joseph John Urbaniak, Jr. (Attachments: # <u>1</u> Exhibit DOC Policies & Procedures Publications Received/possessed by Inmates) (Griffin, J.) (Entered: 03/23/2010)
03/24/2010	<u>43</u>	ORDER of USCA as to <u>33</u> Notice of Interlocutory Appeal filed by Michael Rankins. The Court dismisses this proceeding for failure to prosecute pursuant to Local Rule 45. (Indig, A.) (Entered: 03/24/2010)
03/24/2010	<u>44</u>	MANDATE of USCA as to <u>33</u> Notice of Interlocutory Appeal filed by Michael Rankins (Indig, A.) (Entered: 03/24/2010)
03/29/2010	<u>45</u>	ORDER dismissing <u>41</u> Motion to Appoint Counsel. After review of the record, the court preliminarily approves the proposed consent decree. The parties shall file with the court no later than fourteen (14) days from entry of this order a proposed notice of the settlement and description of the method through which the parties will provide notice. Upon approval of the notice and notice procedures, the court will set the case for fairness hearing pursuant to Federal Rule of Civil Procedure 23(e)(2). Until hearing, final approval of the settlement shall be held in abeyance (DE # 42). Signed by Chief Judge Louise Wood Flanagan on 3/29/2010. (Shannon, K.) (Entered: 03/29/2010)
04/12/2010	<u>46</u>	Joint MOTION to Approve Consent Judgment <i>and Notice and set fairness hearing</i> by Joseph John Urbaniak, Jr. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit Proposed Notice to Class Members of Settlement) (Griffin, J.) (Entered: 04/12/2010)
04/13/2010		Motions Submitted: <u>46</u> Joint MOTION to Approve Consent Judgment <i>and Notice and set fairness hearing</i> (Indig, A.) (Entered: 04/13/2010)
04/14/2010	<u>47</u>	ORDER denying <u>46</u> Motion to Approve Consent Judgment; the parties are ORDERED to revise and resubmit a proposed notice to the court which addresses the terms of settlement and alerts class members to the potential effect of any settlement on their rights. Response due by 4/28/2010. Signed by Chief Judge Louise Wood Flanagan on 4/14/2010. (McDowell, G.) (Entered: 04/14/2010)
04/27/2010	<u>48</u>	MOTION to Approve Consent Judgment <i>and Notice to Class Members to set Fairness Hearing</i> by Theodis Beck, Boyd Bennett, Cordelia Clark, Theodis Beck, Boyd Bennett, Joseph B. Hall. (Attachments: # <u>1</u> Exhibit Proposed Notice to Class Members, # <u>2</u> Text of Proposed Order) (Allen, James) (Entered: 04/27/2010)
04/28/2010		Motions Submitted: <u>48</u> MOTION to Approve Consent Judgment <i>and Notice to Class Members to set Fairness Hearing</i> . (McDowell, G.) (Entered: 04/28/2010)

05/07/2010	<u>49</u>	ORDER granting with revisions <u>48</u> Motion to Approve Consent Judgment. A hearing shall be held on July 27, 2010, at 9:30 a.m. at the Terry Sanford Federal Building and Courthouse, 310 New Bern Avenue, Raleigh, North Carolina, to consider whether the settlement is fair, reasonable, and adequate and should receive the courts final approval. Objections by class members to the proposed settlement will be considered if filed in writing with the clerk on or before July 13, 2010. Signed by Chief Judge Louise Wood Flanagan on 5/7/2010. (King, K.) (Entered: 05/07/2010)
05/24/2010	<u>50</u>	Letter from Hildred Manuel Lyles, Jr. in reference to case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 05/27/2010)
05/24/2010	<u>51</u>	Letter from Charles Alonzo Tunstall in reference to case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 05/27/2010)
05/24/2010	<u>52</u>	Letter from Rashon Crawford in reference to case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 05/27/2010)
05/24/2010	<u>53</u>	Letter from Stanley Corbett, Jr. in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Additional attachment(s) added on 5/28/2010: # <u>2</u> Correct Letter, # <u>3</u> Correct Envelope) (King, K.). Modified on 5/28/2010 to add correct documents (King, K.). (Entered: 05/27/2010)
05/24/2010	<u>54</u>	AFFIDAVIT by Marcus R. Brown in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 05/27/2010)
05/24/2010	<u>55</u>	Letter from Raymond J. Jones in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 05/27/2010)
05/25/2010	<u>56</u>	Letter from Joshua McRavion in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 05/27/2010)
05/25/2010	<u>57</u>	Letter from Darius Rutledge in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 05/27/2010)
05/25/2010	<u>58</u>	Letter from Jamal Haith in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 05/27/2010)
05/25/2010	<u>66</u>	Letter from Antwan Hargrove in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 05/27/2010)
05/26/2010	<u>59</u>	Letter from John Lowery in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 05/27/2010)
05/26/2010	<u>60</u>	Letter from Joseph M. Osorio, Jr. in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 05/27/2010)
05/26/2010	<u>61</u>	Letter from Leonard Camarata in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 05/27/2010)
05/26/2010	<u>62</u>	Letter from Rashie Berfield in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 05/27/2010)
05/26/2010	<u>63</u>	MOTION to Stay Proceedings and MOTION to Appoint Counsel by Michael Rankins. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 05/27/2010)
05/26/2010	<u>67</u>	Letter from Darrell Lee Young in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 05/28/2010)
05/26/2010	<u>68</u>	Letter from Edward D. Huckabee in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 05/28/2010)
05/26/2010	<u>69</u>	Letter from Gregory S. Grosholz in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 05/28/2010)
05/26/2010	<u>70</u>	Letter from Christopher M. Adams in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 05/28/2010)
05/27/2010	<u>64</u>	Letter from William Richardson in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 05/27/2010)

05/27/2010	<u>65</u>	Letter from Laquail Wallace in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 05/27/2010)
05/28/2010	<u>71</u>	Letter from Stanley Earl Corbett, Jr. in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 06/02/2010)
05/28/2010	<u>72</u>	Letter from John R. Allen dated May 25, 2010 in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 06/03/2010)
05/28/2010	<u>73</u>	Letter from Lester Hardy dated May 25, 2010 in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 06/03/2010)
05/28/2010	<u>74</u>	Letter from Derrick Danyell Boger. (objection to the pending settlement agreement.) (Attachments: # <u>1</u> Envelope) (Indig, A.) (Entered: 06/04/2010)
06/01/2010	<u>75</u>	Letter from Shan Wilson in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 06/04/2010)
06/01/2010	<u>76</u>	Letter from Maurice A. Williamson dated May 25, 2010 in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 06/04/2010)
06/02/2010	<u>77</u>	Letter from Anthony Brian Clark in reference to the case. (Attachments: # <u>1</u> Envelope) (Indig, A.) (Entered: 06/04/2010)
06/02/2010	<u>78</u>	Letter from Matthew A. Myers in reference to the case. Letter also signed by 20 other interested parties. (Attachments: # <u>1</u> Envelope) (Indig, A.) (Entered: 06/04/2010)
06/03/2010	<u>79</u>	Letter from Michael Eugene Hunt dated May 27, 2010 requesting not to be considered as a member of a class action. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 06/07/2010)
06/03/2010	<u>80</u>	Letter from Neil Williams. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 06/07/2010)
06/03/2010	<u>81</u>	Letter from Charles R. Oliver, Jr. dated May 29, 2010. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 06/07/2010)
06/03/2010	<u>82</u>	Letter from Jimmy Ramos dated May 25, 2010. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 06/07/2010)
06/03/2010	<u>83</u>	Letter from Tyrone Williams dated 5/31/2010 in reference to the case. (Attachments: # <u>1</u> Envelope) (Indig, A.) (Entered: 06/07/2010)
06/09/2010	<u>84</u>	AFFIDAVIT by Terrance James regarding the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 06/09/2010)
06/09/2010	<u>85</u>	Letter from Roosevelt S. Bennett dated June 4, 2010. (Attachments: # <u>1</u> Envelope) (Indig, A.) (Entered: 06/09/2010)
06/09/2010	<u>86</u>	Letter from Chastis Nixon in reference to the case. (Attachments: # <u>1</u> Envelope) (Indig, A.) (Entered: 06/09/2010)
06/10/2010	<u>87</u>	Letter from Michael Ray Williams dated June 8, 2010. (Attachments: # <u>1</u> Envelope) (Indig, A.) (Entered: 06/10/2010)
06/10/2010	<u>88</u>	Letter from Timothy Matthew Long dated May 21, 2010 regarding the case. (Attachments: # <u>1</u> Envelope) (Indig, A.) (Entered: 06/10/2010)
06/10/2010	<u>89</u>	Letter from Javier Rivera in reference to the case. (Attachments: # <u>1</u> Envelope) (Indig, A.) (Entered: 06/10/2010)
06/10/2010	<u>90</u>	Letter from Timothy Matthew Long in reference to the case. (Attachments: # <u>1</u> Envelope) (Indig, A.) (Entered: 06/10/2010)
06/14/2010	<u>91</u>	Letter from Durante Garrett. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 06/14/2010)
06/14/2010	<u>92</u>	Letter from Bobby R. Johnson, Jr. dated June 9, 2010. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 06/14/2010)

06/14/2010	<u>93</u>	Letter from Marshall Brown dated June 6, 2010 in reference to the case. (Attachments: # <u>1</u> Envelope) (Indig, A.) (Entered: 06/15/2010)
06/15/2010	<u>94</u>	Letter (Objections) from Michael Rankins in reference to the case. Document also signed by 25 other interested parties. (Attachments: # <u>1</u> Envelope) (Indig, A.) (Entered: 06/15/2010)
06/21/2010	<u>95</u>	Letter from Terry Lytle dated June 15, 2010 in reference to the case. (Attachments: # <u>1</u> Envelope) (Indig, A.) (Entered: 06/21/2010)
06/24/2010	<u>96</u>	Letter from Eva McNair dated June 21, 2010 in reference to the case. (Attachments: # <u>1</u> Envelope) (Indig, A.) (Entered: 06/24/2010)
06/28/2010	<u>97</u>	Letter from Nijel Lee-Bey dated June 15, 2010. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 06/28/2010)
06/28/2010	<u>98</u>	Letter from Christopher Ellerbe dated June 24, 2010. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 06/29/2010)
06/28/2010	<u>99</u>	Letter from Jonathan Koniak. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 06/29/2010)
06/30/2010	<u>100</u>	Letter from Ian Aulden Campbell in reference to the case. (Attachments: # <u>1</u> Envelope) (Indig, A.) (Entered: 07/01/2010)
07/01/2010	<u>102</u>	Letter from Ellis Toone. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 07/06/2010)
07/06/2010	<u>101</u>	ORDER dismissing without prejudice <u>63</u> Motion to Stay; dismissing without prejudice <u>63</u> Motion to Appoint Counsel. Additionally, where it appears Mr. Rankins seeks relief unrelated to the instant action, he must bring such a claim in a separate action. As stated in this court's March 29, 2010 order, Mr. Rankins may not circumvent the filing limits of 28 U.S.C. § 1915(g) by raising such unrelated matters in this action. Signed by Chief Judge Louise Wood Flanagan on 7/3/2010. (King, K.) (Entered: 07/06/2010)
07/06/2010	<u>103</u>	Letter from Terrence Wright El dated July 1, 2010. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 07/08/2010)
07/06/2010	<u>104</u>	Letter from Carlos Sanchez dated July 1, 2010. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 07/08/2010)
07/06/2010	<u>105</u>	Letter from Joshua O. Mitchell. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 07/08/2010)
07/06/2010	<u>106</u>	Letter from Angel Guevara dated June 30, 2010. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 07/08/2010)
07/06/2010	<u>107</u>	Letter from Michael Locklear dated June 30, 2010. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 07/08/2010)
07/08/2010	<u>108</u>	Letter with additional documentation from Eugene Little dated July 1, 2010. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 07/09/2010)
07/09/2010	<u>109</u>	Letter with additional documentation from Henry L. Wallace dated July 8, 2010. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 07/09/2010)
07/09/2010	<u>110</u>	Letter from Jarkesh Johnson dated July 4, 2010. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 07/09/2010)
07/12/2010	<u>111</u>	Letter from Lamar Lineberger dated July 7, 2010. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 07/12/2010)
07/12/2010	<u>112</u>	Letter from V.R. Berrier dated July 8, 2010. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 07/12/2010)
07/12/2010	<u>113</u>	Letter from James Aaron Hayes dated July 8, 2010. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 07/12/2010)
07/12/2010	<u>114</u>	Letter from Eugene Little with documents attached. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 07/12/2010)

07/14/2010	<u>115</u>	Letter from Robert W. Stanley dated July 10, 2010. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 07/14/2010)
07/14/2010	<u>116</u>	Letter in opposition from Dwight Parker, Sr dated July 12, 2010. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 07/14/2010)
07/14/2010	<u>117</u>	Document: Copy of Letter to Michael Locklear from the NC Department of Correction dated June 8, 2010. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 07/14/2010)
07/14/2010	<u>118</u>	Document: Co-Plaintiffs Objections and Proposed Amend Complaint and Affidavit In Support. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 07/14/2010)
07/15/2010	<u>119</u>	Letter from Matthew Myers dated July 12, 2010. Art books were received with the letter. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 07/16/2010)
07/15/2010	<u>120</u>	Letter from Cornelius Ernie Yohe, Jr. dated July 11, 2010 regarding the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 07/16/2010)
07/16/2010	<u>121</u>	Letter from Eugene Little with additional documents attached. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 07/16/2010)
07/16/2010	<u>122</u>	Letter from Telly Clark dated July 12, 2010 with additional documentation. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 07/19/2010)
07/21/2010	<u>123</u>	NOTICE of Appearance by Peter Andrew Regulski on behalf of Cordelia Clark, Joseph B. Hall, Robert C. Lewis, Alvin W. Keller. (Regulski, Peter) (Entered: 07/21/2010)
07/27/2010	<u>124</u>	Minute Entry for proceedings held before Chief Judge Louise Wood Flanagan: Fairness Hearing held on 7/27/2010. Counsel to file supplement and amended policy within 30 days. (Court Reporter Donna Tomawski.) (McDowell, G.) (Entered: 07/27/2010)
07/27/2010	<u>125</u>	ORDER re <u>123</u> Notice of Appearance filed by Joseph B. Hall, Cordelia Clark, Robert C. Lewis, Alvin Keller; the Clerk of Court is DIRECTED to substitute defendant Beck and defendant Lewis for defendant Bennett on this court's docket sheet. Signed by Chief Judge Louise Wood Flanagan on 7/27/2010. (McDowell, G.) (Entered: 07/27/2010)
07/30/2010	<u>126</u>	Notice of Substitution of Counsel by Peter Andrew Regulski on behalf of Cordelia Clark, Joseph B. Hall, Alvin W. Keller, Robert C. Lewis substituting for Phillip Allen. (Regulski, Peter) (Entered: 07/30/2010)
08/03/2010	<u>127</u>	ORDER – Amended Pleadings due by 8/23/2010 and the court also sets this matter for hearing on 8/27/10 at 11 a.m. in Raleigh. Signed by Chief Judge Louise Wood Flanagan on 8/3/2010. (McDowell, G.) (Entered: 08/03/2010)
08/20/2010	<u>128</u>	Letter from Anthony Leon Hoover dated August 12, 2010 in reference to the case. (Attachments: # <u>1</u> Envelope) (King, K.) (Entered: 08/20/2010)
08/23/2010	<u>129</u>	Memorandum in Support – re: <u>127</u> Order, Set Deadlines, Set Hearings <i>Joint Supplement on Proposed Settlement</i> filed by Joseph John Urbaniak, Jr. (Attachments: # <u>1</u> Exhibit August 18, 2010 Revision to Inmate Publication Policy) (Griffin, J.) (Entered: 08/23/2010)
08/23/2010	<u>130</u>	Letter from Timothy M. Long dated August 18, 2010 with additional documentation. (Attachments: # <u>1</u> Envelope) (McDowell, G.) (Entered: 08/23/2010)
08/27/2010	<u>131</u>	Minute Entry for proceedings held before Chief Judge Louise Wood Flanagan: Fairness Hearing held on 8/27/2010. (Court Reporter Patti A. McCullock.) (McDowell, G.) (Entered: 08/27/2010)
08/27/2010	<u>132</u>	ORDER – the court finds that the proposed consent decree, contemporaneously entered, is fair and adequate and is approved; the court DENIES the requests to opt out of the class filed by class members Roger Stevenson (DE # 24), Michael Eugene Hunt (DE # 79), and Ian Aulden Campbell (DE # 100); the parties' joint motion for approval of the stipulated consent decree (DE # 42) as supplemented

		(DE #129, Ex. 1) is ALLOWED. Signed by Chief Judge Louise Wood Flanagan on 08/27/2010. (McDowell, G.) (Entered: 08/27/2010)
08/27/2010	<u>133</u>	Stipulated Consent Decree. Approved and Signed by Chief Judge Louise Wood Flanagan on 08/27/2010. (McDowell, G.) (Entered: 08/27/2010)
08/27/2010	<u>134</u>	CLERK'S JUDGMENT – that defendants Sherwood R. McCabe, Jerry McQueen, Gerotha R. Spain, B. A. Thompson, J. Baker Williams, Joseph B. Hall and Kenneth Jones having been dismissed earlier in the action, the court approves the settlement agreement. Signed by Dennis P. Iavarone, Clerk of Court on 8/27/2010. (McDowell, G.) (Entered: 08/27/2010)
05/03/2011	<u>135</u>	Letter dated April 30, 2011 from Melvin Jeffries. (Attachment: # <u>1</u> Envelope) (Taylor, B.) (Entered: 05/11/2011)