

ADMCLOSED,APPEAL

**U.S. District Court
District of New Jersey [LIVE] (Newark)
CIVIL DOCKET FOR CASE #: 2:06-cv-05033-SRC-CCC**

HAGAN et al v. ROGERS et al
Assigned to: Judge Stanley R. Chesler
Referred to: Magistrate Judge C. C. Cecchi
Case in other court: US Court of Appeals for the 3rd Circuit,
07-01412
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 10/20/2006
Date Terminated: 05/09/2007
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

LEWIS IRA HAGAN

represented by **LEWIS IRA HAGAN**
168433B
ADULT DIAGNOSTIC &TREATMENT
CENTER
SBI # 168433B
8 PRODUCTION WAY
PO BOX 190
AVENEL, NJ 07001
PRO SE

Plaintiff

JAMES HEMPHILL
TERMINATED: 01/25/2007

represented by **JAMES HEMPHILL**
603360A
ADULT DIAGNOSTIC &TREATMENT
CENTER
8 PRODUCTION WAY
PO BOX 190
AVENEL, NJ 07001
PRO SE

Plaintiff

EFRAIM ESQUILIN
TERMINATED: 01/25/2007

represented by **EFRAIM ESQUILIN**
174029C
ADULT DIAGNOSTIC &TREATMENT
CENTER
8 PRODUCTION WAY
PO BOX 190
AVENEL, NJ 07001
PRO SE

Plaintiff

CHRISTOPHER MARK
TERMINATED: 01/25/2007

represented by **CHRISTOPHER MARK**
808711C
ADULT DIAGNOSTIC &TREATMENT
CENTER
8 PRODUCTION WAY
PO BOX 190
AVENEL, NJ 07001
PRO SE

Plaintiff

WILLIAM WEISS
TERMINATED: 01/25/2007

represented by **WILLIAM WEISS**
404750C
ADULT DIAGNOSTIC &TREATMENT
CENTER
8 PRODUCTION WAY
PO BOX 190
AVENEL, NJ 07001

PRO SE

Plaintiff

CHRISTOS PAPACRISTOS
TERMINATED: 01/25/2007

represented by **CHRISTOS PAPACRISTOS**
838176C
ADULT DIAGNOSTIC &TREATMENT
CENTER
8 PRODUCTION WAY
PO BOX 190
AVENEL, NJ 07001
PRO SE

Plaintiff

LOUIS GEORGE JOHNSTON, JR.
TERMINATED: 01/25/2007

represented by **LOUIS GEORGE JOHNSTON, JR.**
436856B
ADULT DIAGNOSTIC &TREATMENT
CENTER
8 PRODUCTION WAY
PO BOX 190
AVENEL, NJ 07001
PRO SE

Plaintiff

TYMIL MASON
TERMINATED: 01/25/2007

represented by **TYMIL MASON**
502796D
ADULT DIAGNOSTIC &TREATMENT
CENTER
8 PRODUCTION WAY
PO BOX 190
AVENEL, NJ 07001
PRO SE

Plaintiff

CLAUDE FRANKLIN
TERMINATED: 01/25/2007

represented by **CLAUDE FRANKLIN**
104811B
ADULT DIAGNOSTIC &TREATMENT
CENTER
8 PRODUCTION WAY
PO BOX 190
AVENEL, NJ 07001
PRO SE

Plaintiff

PETER BRAUN
TERMINATED: 01/25/2007

represented by **PETER BRAUN**
786615A
8 PRODUCTION WAY
PO BOX 190
AVENEL, NJ 07001
PRO SE

Plaintiff

OLIVER MASON
TERMINATED: 01/25/2007

represented by **OLIVER MASON**
0878271
ADULT DIAGNOSTIC &TREATMENT
CENTER
8 PRODUCTION WAY
PO BOX 190
AVENEL, NJ 07001
PRO SE

Plaintiff

TOBORIS WRIGHT
TERMINATED: 01/25/2007

represented by **TOBORIS WRIGHT**
119025D
ADULT TREATMENT &DIAGNOSTIC
CENTER
8 PRODUCTION WAY
PO BOX 190
AVENEL, NJ 07001
PRO SE

Plaintiff

RONALD YOUNG
TERMINATED: 01/25/2007

represented by **RONALD YOUNG**
317908D
ADULT DIAGNOSTIC &TREATMENT
CENTER
8 PRODUCTION WAY
PO BOX 190
AVENEL, NJ 07001
PRO SE

Plaintiff

ALLAN LOVENSON
TERMINATED: 01/25/2007

represented by **ALLAN LOVENSON**
522094C
ADULT DIAGNOSTIC &TREATMENT
CENTER
8 PRODUCTION WAY
PO BOX 190
AVENEL, NJ 07001
PRO SE

V.

Defendant

GRACE ROGERS
ADMINISTRATOR

Defendant

GEORGE HAYMAN
*COMMISSIONER NEW JERSEY STATE
PRISONS*

Defendant

DR. HOCHBERG
*DOCTOR EMPLOYED BY
CORRECTIONAL MEDICAL SERVICES*

Defendant

**CORRECTIONAL MEDICAL
SERVICES, INC.**

Defendant

BERNARD GOODWIN
ASST. ADMINISTRATOR

Date Filed	#	Docket Text
10/20/2006	<u>1</u>	Complaint Received (no IFP or fee received) (Attachments: # <u>1</u> COVER LETTER# <u>2</u> PRAYER REQUEST LETTER# <u>3</u> VERIFICATION OF COMPLAINT# <u>4</u> ALLEGATION IN MOTION FOR CLASS ACTION DETERMINATION)(lm2,) (Entered: 10/25/2006)

10/20/2006	<u>2</u>	Application for Pro Bono Counsel by TYMIL MASON, CLAUDE FRANKLIN, PETER BRAUN, OLIVER MASON, TOBORIS WRIGHT, RONALD YOUNG, ALLAN LOVENSON, LEWIS IRA HAGAN, JAMES HEMPHILL, EFRAIM ESQUILIN, CHRISTOPHER MARK, WILLIAM WEISS, CHRISTOS PAPACRISTOS, LOUIS GEORGE JOHNSTON, JR. (lm2,) (Entered: 10/25/2006)
10/26/2006	<u>3</u>	APPLICATION/AFFIDAVIT to proceed in forma pauperis by LEWIS IRA HAGAN. (dc,) (Entered: 10/27/2006)
10/26/2006	<u>4</u>	APPLICATION/AFFIDAVIT to proceed in forma pauperis by WILLIAM WEISS. (dc,) (Entered: 10/27/2006)
10/26/2006	<u>5</u>	APPLICATION/AFFIDAVIT to proceed in forma pauperis by TYMIL MASON. (dc,) (Entered: 10/27/2006)
10/26/2006	<u>6</u>	APPLICATION/AFFIDAVIT to proceed in forma pauperis by CLAUDE FRANKLIN. (dc,) (Entered: 10/27/2006)
10/26/2006	<u>7</u>	APPLICATION/AFFIDAVIT to proceed in forma pauperis by CHRISTOPHER MARK. (dc,) (Entered: 10/27/2006)
10/26/2006	<u>8</u>	APPLICATION/AFFIDAVIT to proceed in forma pauperis by PETER BRAUN. (dc,) (Entered: 10/27/2006)
10/26/2006	<u>9</u>	APPLICATION/AFFIDAVIT to proceed in forma pauperis by ALLAN LOVENSON. (dc,) (Entered: 10/27/2006)
10/26/2006	<u>10</u>	APPLICATION/AFFIDAVIT to proceed in forma pauperis by EFRAIM ESQUILIN. (dc,) (Entered: 10/27/2006)
10/26/2006	<u>11</u>	APPLICATION/AFFIDAVIT to proceed in forma pauperis by OLIVER MASON. (dc,) (Entered: 10/27/2006)
10/26/2006	<u>12</u>	APPLICATION/AFFIDAVIT to proceed in forma pauperis by RONALD YOUNG. (dc,) (Entered: 10/27/2006)
10/26/2006	<u>13</u>	APPLICATION/AFFIDAVIT to proceed in forma pauperis by LOUIS GEORGE JOHNSTON, JR. (dc,) (Entered: 10/27/2006)
10/26/2006	<u>14</u>	APPLICATION/AFFIDAVIT to proceed in forma pauperis by TOBORIS WRIGHT. (dc,) (Entered: 10/27/2006)
10/26/2006	<u>15</u>	APPLICATION/AFFIDAVIT to proceed in forma pauperis by CHRISTOS PAPACRISTOS. (dc,) (Entered: 10/27/2006)
10/26/2006	<u>16</u>	APPLICATION/AFFIDAVIT to proceed in forma pauperis by JAMES HEMPHILL. (dc,) (Entered: 10/27/2006)
10/26/2006	<u>17</u>	VERIFICATION OF COMPLAINT by CHRISTOPHER MARK. (dc,) Modified on 10/30/2006 (dc,). (Entered: 10/27/2006)
01/25/2007	<u>18</u>	OPINION . Signed by Judge Stanley R. Chesler on 1/24/07. (dc,) (Entered: 01/25/2007)
01/25/2007	<u>19</u>	ORDER denying Pltfs.' motion to proceed as a class action; that Pltfs.' application for appointment of counsel is denied, w/out prejudice, as premature; that Pltfs. JAMES HEMPHILL; EFRAIM ESQUILIN CHRISTOPHER MARK; WILLIAM WEISS; CHRISTOS PAPACRISTOS; LOUIS GEORGE JOHNSTON, JR; TYMIL MASON; CLAUDE FRANKLIN; PETER BRAUN; OLIVER MASON; TOBORIS WRIGHT; RONALD YOUNG; and ALLAN LOVENSON are dismissed from this action; that the Clerk of the Court shall open a new case for each of the dismissed Pltfs. w/the Complaint from this case and that particular Pltf.'s Application to Proceed in forma pauperis; that the Clerk shall assign each of the newly-opened cases to the same judge who is assigned to this case; that the Clerk shall enter the Opinion and Order in this case on the docket in each of the newly-opened cases; that, within 30 days after entry of this Order, the remaining Pltf. in this case, Lewis Hagan, and each of the dismissed Pltfs. may indicate his intent to proceed with his claims by filing an Amended Complaint asserting his individual claims under his newly-assigned docket number, etc.. Signed by Judge

		Stanley R. Chesler on 1/24/07. (dc,) (Entered: 01/25/2007)
02/06/2007	<u>20</u>	MOTION to Stay Action by LEWIS IRA HAGAN. (Attachments: # <u>1</u> Letter Brief# <u>2</u> Cover Letter# <u>3</u> Envelope)(dc,) (Entered: 02/08/2007)
02/06/2007		Set hearing as to <u>20</u> MOTION to Stay. Motion Hearing set for 3/12/2007 before Judge Stanley R. Chesler. PLEASE BE ADVISED THAT THIS MOTION WILL BE DECIDED ON THE PAPERS UNLESS OTHERWISE ORDERED BY THE COURT. (dc,) (Entered: 02/08/2007)
02/06/2007	<u>21</u>	NOTICE OF APPEAL as to <u>19</u> Order Denying Pro Bono Counsel by TYMIL MASON, CLAUDE FRANKLIN, PETER BRAUN, OLIVER MASON, TOBORIS WRIGHT, RONALD YOUNG, ALLAN LOVENSON, LEWIS IRA HAGAN, JAMES HEMPHILL, EFRAIM ESQUILIN, CHRISTOPHER MARK, WILLIAM WEISS, CHRISTOS PAPACRISTOS, LOUIS GEORGE JOHNSTON, JR. USCA and counsel of record notified of appeal. No filing fee received. The Clerk's Office hereby certifies the record and the docket sheet available through ECF to be the certified list in lieu of the record and/or the certified copy of the docket entries. (Attachments: # <u>1</u> Memo and Affidavits in Support of Appeal Part I# <u>2</u> Part II# <u>3</u> Cover Letters# <u>4</u> Copy of Envelope)(ji,) (Entered: 02/08/2007)
02/13/2007	<u>22</u>	USCA Case Number 07-1412 for <u>21</u> Notice of Appeal (USCA), Notice of Appeal (USCA), Notice of Appeal (USCA) filed by WILLIAM WEISS,, JAMES HEMPHILL,, LEWIS IRA HAGAN,, PETER BRAUN,, EFRAIM ESQUILIN,, CHRISTOPHER MARK,, CHRISTOS PAPACRISTOS,, LOUIS GEORGE JOHNSTON, JR., TYMIL MASON,, CLAUDE FRANKLIN,, OLIVER MASON,, TOBORIS WRIGHT,, RONALD YOUNG,, ALLAN LOVENSON,. USCA Case Manager Carmen M. Hernandez (Document Restricted - Court Only) (Hernandez, Carmen) (Entered: 02/13/2007)
03/01/2007	<u>23</u>	ORDER of USCA granting IFP for Appellant James Hemphill (ca3tmk,) (Entered: 03/01/2007)
03/01/2007	<u>24</u>	ORDER of USCA granting IFP for Appellant Eraim Esquilin. (ca3tmk,) (Entered: 03/01/2007)
03/09/2007	<u>25</u>	ORDER of USCA granting IFP for Appellant Christopher Mark. (ca3tmk,) (Entered: 03/09/2007)
03/09/2007	<u>26</u>	ORDER of USCA granting IFP for Appellant Louis G. Johnston, Jr. (ca3tmk,) (Entered: 03/09/2007)
03/09/2007	<u>27</u>	ORDER of USCA granting IFP for Appellant Toboris Wright. (ca3tmk,) (Entered: 03/09/2007)
03/09/2007	<u>28</u>	ORDER of USCA granting IFP for Appellant Christos Papacristos. (ca3tmk,) (Entered: 03/09/2007)
03/12/2007	<u>29</u>	ORDER of USCA granting IFP to Appellant Tymil Mason. (ca3tmk,) (Entered: 03/12/2007)
03/12/2007	<u>30</u>	ORDER of USCA granting IFP for Appellant Claude Franklin. (ca3tmk,) (Entered: 03/12/2007)
03/12/2007	<u>31</u>	ORDER of USCA granting IFP for Appellant Peter Braun. (ca3tmk,) (Entered: 03/12/2007)
03/12/2007	<u>32</u>	ORDER of USCA granting IFP for Appellant Ronald Young. (ca3tmk,) (Entered: 03/12/2007)
03/12/2007	<u>33</u>	ORDER of USCA granting IFP for Appellant Allan Lovenson. (ca3tmk,) (Entered: 03/12/2007)
03/15/2007	<u>34</u>	ORDER of USCA vacating Clerk's order of March 9, 2007 and March 12, 2007 granting in forma pauperis and referring the motions to a motions panel. (Hernandez, Carmen) (Entered: 03/15/2007)
05/04/2007	<u>35</u>	ORDER Ordered that Pltfs.' Complaint is stayed and shall be held in abeyance while Pltfs.' appeal is pending w/the USCA in order to protect those claims by

		Pltfs. that might be time-sensitive; that, in the event the USCA concludes that Pltfs. should be certified as a class, the stay is conditioned upon Pltfs. notifying this Court in writing within 30 days after the USCA' review is completed about Pltfs.' intent to proceed w/their original Complaint; that, in the event the USCA concludes that Pltfs. should not be certified as a class, the stay is conditioned upon each Pltf.'s submission to this Court of that Pltf.'s individual Amended Complaint within 30 days after the USCA' review is completed, and that the Clerk shall serve copies of this Order and the accompanying Opinion by regular mail upon all Pltfs.' and administratively terminate each of the above-captioned matters. Signed by Judge Stanley R. Chesler on 5/3/07. (dc,) (Entered: 05/04/2007)
05/09/2007		***Civil Case Terminated. (mn,) (Entered: 05/09/2007)
06/18/2007	<u>36</u>	Mail Returned as Undeliverable. Mail sent to Lewis Ira Hagan (dc,) (Entered: 06/18/2007)
06/25/2007	<u>37</u>	Letter from James Hemphill with notice of voluntary withdrawal from the action pending in the USCA. (Attachments: # <u>1</u> Envelope)(dc,) (Entered: 06/27/2007)
06/29/2007	<u>38</u>	ORDER granting pltf. James Hemphill's request to withdraw from this action now pending in the USCA, re <u>37</u> Letter. Signed by Judge Stanley R. Chesler on 6/29/07. (dc,) (Entered: 06/29/2007)
10/26/2007	<u>39</u>	Mail Returned as Undeliverable. Mail sent to Lewis Ira Hagan (dc,) (Entered: 10/26/2007)
04/03/2008	<u>40</u>	TRANSCRIPT REQUEST by TYMIL MASON, CLAUDE FRANKLIN, PETER BRAUN, OLIVER MASON, TOBORIS WRIGHT, RONALD YOUNG, ALLAN LOVENSON, LEWIS IRA HAGAN, EFRAIM ESQUILIN, CHRISTOPHER MARK, WILLIAM WEISS, CHRISTOS PAPACRISTOS, LOUIS GEORGE JOHNSTON, JR, "None" selected in Section 1A. (ji,) (Entered: 04/03/2008)
06/19/2009	<u>41</u>	USCA JUDGMENT Reversed as to denial of joinder and vacated as to denial of class certification, and the matter remanded for further proceedings as to <u>21</u> Notice of Appeal (USCA), Notice of Appeal (USCA), Notice of Appeal (USCA) filed by CHRISTOS PAPACRISTOS, CLAUDE FRANKLIN, ALLAN LOVENSON, LOUIS GEORGE JOHNSTON, JR., LEWIS IRA HAGAN, TOBORIS WRIGHT, PETER BRAUN, WILLIAM WEISS, JAMES HEMPHILL, EFRAIM ESQUILIN, CHRISTOPHER MARK, TYMIL MASON, RONALD YOUNG, OLIVER MASON (ca3pdb,) (Entered: 06/19/2009)