

CLOSED

U.S. District Court
Northern District of New York [LIVE - Version 2.5] (Utica)
CIVIL DOCKET FOR CASE #: 6:84-cv-00779-LEK-RWS

Blissett v. Coughlin, et al
Assigned to: Judge Lawrence E. Kahn
Referred to: Magistrate Judge Ralph W. Smith, Jr
Demand: \$0
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 06/06/1984
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Donovan Blissett

represented by **Donovan Blissett**
80-B-1405
Fishkill Correctional Facility
Box 307
Beacon, NY 12508
PRO SE

Colin A. Fieman
Scolaro, Shulman Law Firm
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Suite 300
Syracuse, NY 13204
315-471-8111
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TERMINATED: 07/07/1997
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Thomas A. Coughlin
*Commissioner, Department of
Correctional Services*

represented by **Christopher W. Hall**
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State of New York
The Capitol
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Steven H. Schwartz
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LEAD ATTORNEY
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Defendant

Harold J. Smith
Superintendent

represented by **Christopher W. Hall**
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LEAD ATTORNEY
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Steven H. Schwartz
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

James E. Cochrane
D.S.S.

represented by **Christopher W. Hall**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Steven H. Schwartz
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Eugene S. LeFevre
Superintendent

represented by **Christopher W. Hall**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Steven H. Schwartz
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

James Curran
D.S.S.

represented by **Christopher W. Hall**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Steven H. Schwartz
(See above for address)

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Sergeant Liberty

represented by **Christopher W. Hall**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Steven H. Schwartz
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

R. Ball

represented by **Christopher W. Hall**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Steven H. Schwartz
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Lieutenant DeFayette

represented by **Christopher W. Hall**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Steven H. Schwartz
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Richard Gregoire

represented by **Christopher W. Hall**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Steven H. Schwartz
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

William Willis

represented by **Christopher W. Hall**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Steven H. Schwartz
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

A. C. Manning

represented by **Christopher W. Hall**
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LEAD ATTORNEY
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Steven H. Schwartz
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Clifford M. Martin

represented by **Christopher W. Hall**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Steven H. Schwartz
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

T. Sears
and several Corrections Officers John Does

represented by **Christopher W. Hall**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Steven H. Schwartz
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/06/1984	1	Civil Rights COMPLAINT filed; ; (plp) (Entered: 12/11/1991)

06/06/1984		CASE REFERRED to Magistrate Judge Daniel Scanlon Jr. (plp) (Entered: 12/11/1991)
06/06/1984	2	ORDER of Mag Smith (6/5/84) granting Pauperis status ; Clerk shall issue summons & complaint to Marshal for service upon named defts w/out fee. Clerk shall also serve summons & complaint by mail upon State Atty General together w/ copy of this order. Clerk shall also serve copy of this order by certified mail upon pltf, etc. Pltfs request for assignment of counsel denied. (signed by Magistrate Judge Ralph W. Smith) (plp) (Entered: 12/11/1991)
06/27/1984	4	Summons returned unexecuted as to Richard Gregoire, W. Willis, A. C. Manning (plp) (Entered: 12/11/1991)
05/18/1989	19	MEMORANDUM/DECISION/ORDER defts motion for summary judgment w/ respect to 3rd & 4th claim of pltf's complaint is in all respects granted & these claims dismissed , that defts' motion for summary judgment w/ respect to 1st claim of pltf's complaint against defts Curran, LeFevre, Smith & Cochrane is granted, & that claim as to these defts is dismissed , that defts' motion for summary judgment w/ respect to 1st claim of pltf's complaint against defts Coughlin & Gregoire is denied, remanding to Magistrate that claim as to these defts , defts' motion for summary judgment w/ respect to 2nd claim of pltf's complaint is denied, remanding this claim to Magistrate. (signed by Judge Con G. Cholakis) (plp) (Entered: 12/11/1991)
09/16/1991	29	REPORT AND RECOMMENDATIONS of Magistrate Judge Daniel Scanlon Jr. recommending that defts' motion for summary judgment w/ respect to the 1st claim of pltf's complaint be denied; that defts' motion that heretofore that defts Manning, Willis & Gregoire be relieved from the MDO be denied; defts' motion to dismiss as to defts Manning, Willis and Gregoire be denied; that an order be made directing the Clerk to issue a summons & complaint to the USM for service upon defts Manning, Willis & Gregoire. Copies mailed to parties via certified mail. Service Date: 9/13/91 (Objection to R and R due by 10/3/91 for T. Sears, for Clifford M. Martin, for A. C. Manning, for W. Willis, for Richard Gregoire, for DeFayette, for R. Ball, for Liberty, for James Curran, for Eugene S. LeFevre, for James E. Cochrane, for Harold J. Smith, for Thomas A. Coughlin III, for Donovan Blissett) ; (plp) (Entered: 12/11/1991)
09/25/1991	30	Return Receipt for Report and Recommendations sent to Donovan J. R. Blissett [29-1] report and recommendations (Objections to R and R due by 10/15/91) (plp) (Entered: 12/11/1991)
09/25/1991	31	Return Receipt for Report and Recommendations sent to Steven H. Schwartz, AAG [29-1] report and recommendations (Objections to R and R due by 10/15/91) (plp) (Entered: 12/11/1991)
12/31/1991	34	MEMORANDUM-DECISION AND ORDER, denying defts' motions for Summary Judgment w/respect to pltf's 1st and 2nd claims; denying defts' motion to relieve defts Manning, Willis and Gregoire from 5/18/89 MDO of this court; denying defts' motion to dismiss action as to defts Manning, Willis and Gregoire; directing clerk to issue summons and complaint to US Marshal for service upon defts Manning, Willis and Gregoire. (signed by Judge Con G. Cholakis 12/31/91) [served] (cbm) (Entered: 01/07/1992)

01/08/1992	35	Return Receipt Received, Service Date: 1/6/92 re: [34-1] order sent to Donovan Blissett. (cbm) (Entered: 01/10/1992)
01/08/1992		Original and 3 copies SUMMONS(ES) issued and delivered to Marshal for Richard Gregoire, W. Willis, A. C. Manning (cbm) (Entered: 01/13/1992)
03/19/1992	36	Rule 16 Scheduling Order Issued. Discovery Deadline 8/17/92 ; Motion Filing Deadline 9/25/92 (Signed by Magistrate Judge Daniel Scanlon Jr. 3/16/92) [served] (cbm) (Entered: 03/20/1992)
03/23/1992	37	Notice to pltf from US Marshals Service dd 3/19/92 re: USM-285 forms to be completed and returned for service. (cbm) (Entered: 03/26/1992)
03/30/1992	38	MOTION by Donovan Blissett for Appointment of Counsel (cbm) (Entered: 04/01/1992)
04/20/1992	39	ORDER denying w/o prejudice pltf's [38-1] motion for Appointment of Counsel (signed by Magistrate Judge Daniel Scanlon Jr. 4/15/92) [served] (cbm) (Entered: 04/21/1992)
05/06/1992		SUMMONS(ES) issued for W. Willis, A. C. Manning, Richard Gregoire (fce) (Entered: 05/07/1992)
06/24/1992	40	REQUEST for Production of Documents by Donovan Blissett (cbm) (Entered: 06/25/1992)
07/24/1992	41	Summons returned unexecuted as to Richard Gregoire (cbm) (Entered: 07/27/1992)
07/31/1992	42	SUMMONS Returned Executed as to A. C. Manning on 7/27/92 : Answer due on 8/17/92 for A. C. Manning (fce) (Entered: 08/04/1992)
08/12/1992	43	MOTION by all defts for Summary Judgment , Hearing set for 9/4/92 , Response Deadline 8/21/92 , Reply to Response Deadline 8/28/92 (cbm) (Entered: 08/12/1992)
08/12/1992	44	Defts' MEMORANDUM of law in support of [43-1] motion for Summary Judgment (cbm) (Entered: 08/12/1992)
08/14/1992	45	SUMMONS Returned Executed as to W. Willis on 8/4/92 : Answer due on 8/24/92 for W. Willis (cbm) (Entered: 08/14/1992)
08/27/1992	46	RESPONSE in opposition by Donovan Blissett to [43-1] motion for Summary Judgment (cbm) (Entered: 08/28/1992)
08/27/1992	47	Rule 10J Statement in opposition to defts' [43-1] motion for Summary Judgment filed by Donovan Blissett (cbm) (Entered: 08/28/1992)
11/02/1992	48	Copy of letter from Plaintiff to Attorney General dd 10/26/92 re: Service by Marshal. (fce) (Entered: 11/02/1992)
01/27/1993	49	REPORT AND RECOMMENDATIONS of Magistrate Judge Daniel Scanlon Jr. Service Date: 1/27/93 ; RECOMMENDING that defts' Re: [43-1] motion for Summary Judgment be denied (Objection to R and R due by 2/16/93 for T. Sears, for Clifford M. Martin, for A. C. Manning, for William Willis, for Richard Gregoire, for DeFayette, for R. Ball, for Liberty, for James Curran, for Eugene S.

		LeFevre, for James E. Cochrane, for Harold J. Smith, for Thomas A. Coughlin III, for Donovan Blissett) ; Motion(s) no longer referred (fce) Modified on 02/17/1993 (Entered: 01/27/1993)
02/17/1993		Forwarded filed to Judge Cholakis for consideration of report-recommendation. (cbm) (Entered: 02/17/1993)
04/02/1993	50	MOTION by Donovan Blissett for Entry of Default , for Default Judgment , for Summary Judgment , for Sanctions , to Compel discovery , for Order directing Attorney General to provide current address of defendant Richard Gregoire; and permission to file this motion out of time. , Hearing set for 4/26/93 , Response Deadline 4/12/93 , Reply to Response Deadline 4/19/93 Motion returnable before Judge/Mag. Judge: Scanlon (fce) (Entered: 04/02/1993)
04/02/1993	51	AFFIDAVIT by Donovan Blissett Re: [50-1] motion for Entry of Default, [50-2] motion for Default Judgment, [50-3] motion for Summary Judgment, [50-4] motion for Sanctions, [50-5] motion to Compel discovery, [50-6] motion for Order directing Attorney General to provide current address of defendant Richard Gregoire; and permission to file this motion out of time. (fce) (Entered: 04/02/1993)
04/02/1993	52	MEMORANDUM by Donovan Blissett in support of [50-1] motion for Entry of Default, [50-2] motion for Default Judgment, [50-3] motion for Summary Judgment, [50-4] motion for Sanctions, [50-5] motion to Compel discovery, [50-6] motion for Order directing Attorney General to provide current address of defendant Richard Gregoire; and permission to file this motion out of time. (fce) (Entered: 04/02/1993)
04/13/1993	53	RESPONSE by Thomas A. Coughlin III, Harold J. Smith, James E. Cochrane, Eugene S. LeFevre, James Curran, Liberty, R. Ball, DeFayette, Richard Gregoire, William Willis, A. C. Manning, Clifford M. Martin, T. Sears in opposition to [50-1] motion for Entry of Default, [50-2] motion for Default Judgment, [50-3] motion for Summary Judgment, [50-4] motion for Sanctions, [50-5] motion to Compel discovery, [50-6] motion for Order directing Attorney General to provide current address of defendant Richard Gregoire; and permission to file this motion out of time. (fce) (Entered: 04/13/1993)
04/13/1993	54	MEMORANDUM by Thomas A. Coughlin III, Harold J. Smith, James E. Cochrane, Eugene S. LeFevre, James Curran, Liberty, R. Ball, DeFayette, Richard Gregoire, William Willis, A. C. Manning, Clifford M. Martin, T. Sears in opposition to [50-1] motion for Entry of Default, [50-2] motion for Default Judgment, [50-3] motion for Summary Judgment, [50-4] motion for Sanctions, [50-5] motion to Compel discovery, [50-6] motion for Order directing Attorney General to provide current address of defendant Richard Gregoire; and permission to file this motion out of time. (fce) (Entered: 04/13/1993)
05/04/1993	55	ORDER granting [49-1] report and recommendations and denies defendant Sears [43-1] Motion for Summary Judgement(signed by Judge Con G. Cholakis) (fce) Modified on 06/01/1993 (Entered: 05/05/1993)
05/07/1993	56	MEMORANDUM by Donovan Blissett in support of [50-1] motion for Entry of Default, [50-2] motion for Default Judgment, [50-3] motion for Summary Judgment, [50-4] motion for Sanctions, [50-5] motion to Compel discovery, [50-6] motion for Order directing Attorney General to provide current address of

		defendant Richard Gregoire; and permission to file this motion out of time. (fce) (Entered: 05/07/1993)
05/27/1993	57	ORDER AND REPORT AND RECOMMENDATIONS of Magistrate Judge Daniel Scanlon Jr. ; Service Date: 5/27/93 ; DENYING pltf's [50-5] motion to compel discovery; RECOMMENDING that pltf's [50-1] and [50-2] motions for entry of default and Default Judgment be denied; RECOMMENDING that pltf's [50-3] motion for Summary Judgment and [50-4] motion for Sanctions be denied. (Objection to R and R due by 6/16/93) (cbm) (Entered: 05/27/1993)
06/24/1993	58	OBJECTION by Donovan Blissett to [57-1] report and recommendations (fce) (Entered: 06/24/1993)
02/22/1994	59	Letter from plaintiff to Judge Cholakis dated 2/15/94 requesting decisions on pending motions. (fce) (Entered: 02/22/1994)
07/01/1994	60	ORDER denying [50-1] motion for Entry of Default, denying [50-2] motion for Default Judgment; but ordering deft. to serve an answer on the plaintiff w/in 20 days from the date of this order , granting in part (with regard to due process claim), denying in part (with regard to cruel and unusual punishment claim) [50-3] motion for Summary Judgment, denying [50-4] motion for Sanctions, and set Motion Filing deadline for motion to compel discovery to 7/21/94 (signed by Judge Con G. Cholakis) (wjg) (Entered: 07/05/1994)
07/22/1994	61	Response to Request for Documents by defendants Coughlin, Smith, Cochrane, LeFevre, Curran, Liberty, Ball, DeFayette, Willis, Manning, Martin and Sears (fce) (Entered: 07/26/1994)
07/22/1994	62	ANSWER to Complaint by Thomas A. Coughlin III, Harold J. Smith, James E. Cochrane, Eugene S. LeFevre, James Curran, Liberty, R. Ball, DeFayette, William Willis, A. C. Manning, Clifford M. Martin, T. Sears (Attorney Steven H. Schwartz), (fce) Modified on 06/24/1997 (Entered: 07/26/1994)
07/27/1994	63	MOTION by Donovan Blissett to Compel Discovery , Hearing set for 8/31/94 , Response Deadline 8/17/94 , Reply to Response Deadline 8/24/94 Motion returnable before Judge/Mag. Scanlon (fce) (Entered: 07/28/1994)
08/04/1994	64	RESPONSE/LETTER by Steven H. Schwartz for Thomas A. Coughlin III, Harold J. Smith, James E. Cochrane, Eugene S. LeFevre, James Curran, Liberty, R. Ball, DeFayette, Richard Gregoire, William Willis, A. C. Manning, Clifford M. Martin, T. Sears to [63-1] motion to Compel Discovery (fce) (Entered: 08/05/1994)
08/08/1994	65	REQUEST and ORDER, to Extend Time to file motion to compel discovery , reset Motion Filing deadline to 8/15/94 (signed by Judge Con G. Cholakis) (fce) (Entered: 08/08/1994)
08/17/1994	66	Amended MOTION by Donovan Blissett to Compel Discovery , , Hearing set for 8/31/94 , Response Deadline 8/17/94 , Reply to Response Deadline 8/24/94 Motion returnable before Judge/Mag. Scanlon (fce) (Entered: 08/18/1994)
08/17/1994	67	Supplemental MEMORANDUM by Donovan Blissett in support of [66-1] motion to Compel Discovery (fce) (Entered: 08/18/1994)

05/23/1996		Motion(s) no longer referred: [66-1] motion to Compel Discovery (cbm) (Entered: 05/23/1996)
08/05/1996		CASE reassigned to Judge Lawrence E. Kahn (fce) (Entered: 08/06/1996)
08/05/1996	68	ORDER, transferring case from J. Cholakis to J. Kahn (signed by Chief Judge Thomas J. McAvoy) (fce) (Entered: 08/06/1996)
02/24/1997	69	Pltf's 2/14/97 letter to court requesting disposition of pending motions, and requesting the court to schedule a telephone conference re: possible settlement. (cbm) (Entered: 02/25/1997)
05/19/1997	70	ORDER granting [66-1] motion to Compel Discovery in part as follows: deft. shall produce photocopies of the photographs taken of the plaintiff at Clinton C.F. on or about 11/2/83; deft. shall produce copies of plaintiff's medical records for the period of 11/2/83-3/84; deft. shall produce a copy of plaintiff's inmate file for the period of 9/83-11/83;deft. shall produce any document relied upon by Sgt. Ball in writing his Sept. 29, 1983 misbehavior report resulting in plaintiff's IPC placement, that the trial will commence at 9:30 a.m. on 9/15/97 at Syracuse, and that Colin A. Fieman, Esq. is appointed as pro bono counsel and is to be added to the docket. (signed by Judge Lawrence E. Kahn on 5/19/97) (tab) (Entered: 05/22/1997)
06/18/1997	71	LETTER REQUEST by AAG Steven Schwartz dd 6/16/97 and ORDER, GRANTING an extension to 6/30/97 to provide documents to plaintiff and DENYING application in all other respects (signed by Judge Lawrence E. Kahn) (wjg) (Entered: 06/19/1997)
06/23/1997	72	Pro se pltf's 6/18/97 letter to Judge Kahn, requesting that appointed atty Fieman be relieved, as he intends to retain his own counsel for trial; objecting to Attorney Schwartz's 6/16/97 letter to court; enclosing copy of Judge Cholakis' 7/1/94 order establishing liability on the due process claim; further requesting a telephone conference to discuss possible settlement; w/enclosures. (cbm) (Entered: 06/24/1997)
06/25/1997	73	Pro se pltf's 6/20/97 letter to Judge Kahn, objecting to the attached letter he received from Steven Schwartz, Esq., which advises pltf that a counterclaim will be filed by defts unless pltf agrees to withdraw complaint. (cbm) (Entered: 06/25/1997)
06/27/1997	74	Pltf's 6/24/97 letter to Judge Kahn, objecting to defts' counsel's harassing and threatening letters; w/attached copy of letter to pltf from Steven H. Schwartz, Esq., dd 6/19/97. (cbm) (Entered: 06/27/1997)
07/07/1997	75	Pltf's 7/1/97 letter to Judge Kahn, re: 6/25/97 conference call and settlement discussions, objecting to defts' request to amend answer to assert counterclaim, etc. (cbm) (Entered: 07/08/1997)
07/07/1997	76	ORDER, for Colin A. Fieman to Withdraw/Be Relieved as pro bono Attorney for plaintiff at plaintiff's request; the Clerk is further directed to remove Mr. Fieman's name from the Court's list of pro bono attorneys for this district as it appears that Mr. Fieman no longer practices law in the district and has not maintained a current business address with the Clerk. (Terminated attorney Colin A. Fieman for Donovan Blissett (signed by Judge Lawrence E. Kahn) (wjg)

		(Entered: 07/09/1997)
07/23/1997	77	Uniform Pretrial Order; Trial Ready by: 7/23/97; Length of Trial 3-4 days; Trial Location: Syracuse, NY; Bench Trial Deadline 9:30 9/15/97 ; (Signed by: Judge Lawrence E. Kahn) (wjg) (Entered: 07/23/1997)
07/23/1997		CASE NO LONGER REFERRED TO Judge Lawrence E. Kahn (docket event "Uniform Pretrial Order" places signer into referral field by ICMS) (cbm) (Entered: 08/07/1997)
07/23/1997		CASE REFERRED to Magistrate Judge Daniel Scanlon Jr. (cbm) (Entered: 08/07/1997)
08/01/1997	78	Pltf's 7/29/97 letter to Judge Kahn regarding lack of counsel for trial and his poor physical condition; requesting to withdraw the assault claim; requesting the court to enter judgment on his due process claim, but if Judge Kahn chooses not to do so, requesting to withdraw his due process claim as well. (cbm) (Entered: 08/07/1997)
08/06/1997	79	NOTICE of attorney appearance for T. Sears, Clifford M. Martin, A. C. Manning, William Willis, Richard Gregoire, DeFayette, R. Ball, Liberty, James Curran, Eugene S. LeFevre, James E. Cochrane, Harold J. Smith, Thomas A. Coughlin III by Christopher W. Hall (cbm) (Entered: 08/08/1997)
08/15/1997	80	ORDER, for writ of habeas corpus ad testificandum to be issued to Fishkill CF as to plaintiff Donovan Blissett to appear on 9/15/97 @ 9:00am to testify at trial on the listed date and on any other date as needed until the completion of trial (signed by Judge Lawrence E. Kahn) (wjg) (Entered: 08/15/1997)
08/15/1997		WRIT of Habeas Corpus ad Testificandum issued for Donovan Blissett for 9/15/97 @ 9:00am for appearance at trial (wjg) (Entered: 08/15/1997)
08/27/1997	81	Pltf's 8/21/97 letter to Judge Kahn, w/attachments, requesting that the judge rescind the order to produce him at trial. (cbm) (Entered: 08/27/1997)
08/29/1997	82	AMENDED ORDER, for writ of habeas corpus ad Testificandum as to Donovan Blissett to appear at trial on 9/15/97 @ 9:00am; plaintiff's appearance is VOLUNTARY, and should he decide he does not wish to appear before the Court and withdraw his action, HE SHOULD NOT BE TRANSPORTED (signed by Judge Lawrence E. Kahn) (wjg) (Entered: 09/02/1997)
08/29/1997		AMENDED WRIT of Habeas Corpus ad Testificandum issued for Donovan Blissett for 9/15/97 @ 9:00am in case for appearance at trial; plaintiff's appearance is VOLUNTARY, and should he decide he does not wish to appear before the Court and withdraw his action, HE SHOULD NOT BE TRANSPORTED (wjg) (Entered: 09/02/1997)
09/15/1997	83	Minute entry: App: Donovan Blissett, pro se plaintiff; Christopher Hall, AAG, for defendants. Plaintiff advises court he wishes to withdraw his assault complaint; Christopher Hall, AAG to submit an order regarding this; Defendant to submit motion papers regarding the dismissal of the final claim by 10/15/97 with a response from plaintiff due by 11/15/97. Court Reporter/ECRO: Eileen McDonough (drm) (Entered: 09/16/1997)

09/15/1997	84	LETTER RESPONSE by Donovan Blissett dd 9/10/97 re: response to 8/29/97 Amended Order and Writ of Habeas Corpus Ad Testificandum. (wjg) (Entered: 09/16/1997)
09/25/1997	85	ORDER, to Dismiss with prejudice Count Two of Plaintiff's complaint alleging assault , and directing that defendants may file a motion requesting the Court to reconsider the earlier granting of summary judgment to plaintiff on Count One of the complaint by 10/15/97, and that plaintiff may respond to plaintiff's papers by 11/15/97 (signed by Judge Lawrence E. Kahn (wjg) (Entered: 09/26/1997)
10/17/1997	86	MOTION by T. Sears, Clifford M. Martin, A. C. Manning, William Willis, Richard Gregoire, DeFayette, R. Ball, Liberty, James Curran, Eugene S. LeFevre, James E. Cochrane, Harold J. Smith, Thomas A. Coughlin III for Reconsideration of [85-1] order to Dismiss with prejudice Count Two of Plaintiff's complaint alleging assault , Hearing set for 9:30 12/5/97 , Response Deadline 11/15/97 Motion returnable before Judge/Mag. Judge: Kahn (wjg) (Entered: 10/20/1997)
10/17/1997	86	AFFIDAVIT/AFFIRMATION by Christopher Hall for T. Sears, Clifford M. Martin, A. C. Manning, William Willis, Richard Gregoire, DeFayette, R. Ball, Liberty, James Curran, Eugene S. LeFevre, James E. Cochrane, Harold J. Smith, Thomas A. Coughlin III Re: [86-1] motion for Reconsideration of [85-1] order to Dismiss with prejudice Count Two of Plaintiff's complaint alleging assault (wjg) (Entered: 10/20/1997)
10/17/1997	87	MEMORANDUM OF LAW by T. Sears, Clifford M. Martin, A. C. Manning, William Willis, Richard Gregoire, DeFayette, R. Ball, Liberty, James Curran, Eugene S. LeFevre, James E. Cochrane, Harold J. Smith, Thomas A. Coughlin III in support of [86-1] motion for Reconsideration of [85-1] order to Dismiss with prejudice Count Two of Plaintiff's complaint alleging assault (wjg) (Entered: 10/20/1997)
11/18/1997	88	RESPONSE/OPPOSITION by Donovan Blissett to [86-1] motion for Reconsideration of [85-1] order to Dismiss with prejudice Count Two of Plaintiff's complaint alleging assault (wjg) (Entered: 11/18/1997)
11/25/1997	89	COURT NOTICE advising that the Motion for Reconsideration scheduled for 12/5/97 will be decided on the submission of the papers. No oral argument will be heard. (wjg) (Entered: 11/26/1997)
04/17/1998	90	LETTER from Donovan Blissett to USDJ Kahn dd 4/14/98 Re: that he filed an opposition to the defendants' motion for reconsideration and the motion is still pending. (fce) (Entered: 04/20/1998)
07/23/1998	91	MEMORANDUM DECISION AND ORDER granting [86-1] motion for Reconsideration of [85-1] order to Dismiss with prejudice Count Two of Plaintiff's complaint alleging assault : GRANTING defendant's summary judgment motion, dismissing the complaint in it's entirety(signed by Judge Lawrence E. Kahn) (tab) (Entered: 07/23/1998)
07/23/1998	92	JUDGMENT for T. Sears, Clifford M. Martin, A. C. Manning, William Willis, Richard Gregoire, Lieutenant DeFayette, R. Ball, Sergeant Liberty, James Curran, Eugene S. LeFevre, James E. Cochrane, Harold J. Smith, Thomas A. Coughlin III against Donovan Blissett Date Served: 7/23/98 (tab) (Entered: 07/23/1998)

07/23/1998		Case closed (tab) (Entered: 07/23/1998)
08/14/1998	93	ORDER, action reassigned from Mag/Judge Scanlon to Mag/Judge Ralph W. Smith, Jr. (dd 8-13-98 signed by Chief Judge Thomas J. McAvoy) (pta) (Entered: 08/14/1998)
08/14/1998		CASE NO LONGER REFERRED TO Magistrate Judge Daniel Scanlon Jr. (pta) (Entered: 08/14/1998)
08/14/1998		CASE REFERRED to Magistrate Judge Ralph W. Smith (pta) (Entered: 08/14/1998)

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