

CLOSED,CONSOL,PURCELL

**U.S. District Court
Western District of Oklahoma[LIVE] (Oklahoma City)
CIVIL DOCKET FOR CASE #: 5:03-cv-00099-W**

Fulbright v. Ward
Assigned to: Honorable Lee R. West
Demand: \$0
Case in other court: 06-06098
06-06161

Date Filed: 01/21/2003
Date Terminated: 02/08/2006
Jury Demand: None
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Cause: 42:1983 Prisoner Civil Rights

Plaintiff

Dennis Earl Fulbright

represented by **Dennis Earl Fulbright**
#186054
JDCC-TAFT
Jess Dunn Correctional Center
P O Box 316
Taft, OK 74463-0316
PRO SE

Rand C Eddy
Mulinix Ogden Hall & Ludlam PLLC
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Suite 3030
Oklahoma City, OK 73102
405-232-3800
Fax: 405-232-8999
Email: Rand@lawokc.com
TERMINATED: 04/02/2007

V.

Defendant

Ron Ward
Director
TERMINATED: 12/01/2005

represented by **J Kevin Behrens**
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Email: kevin_behrens@oag.state.ok.us
TERMINATED: 04/09/2007
ATTORNEY TO BE NOTICED

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TERMINATED: 09/28/2005

Defendant

Edward Evans
*Director, Oklahoma Department of
Corrections*

represented by **Guy L Hurst**
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 ATTORNEY TO BE NOTICED

Defendant**Justin Jones**

represented by **Craig M Regens**
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 ATTORNEY TO BE NOTICED

Guy L Hurst
 (See above for address)
 ATTORNEY TO BE NOTICED

J Kevin Behrens
 (See above for address)
 TERMINATED: 04/09/2007
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/21/2003	1	COMPLAINT (mms) (Entered: 01/27/2003)
01/21/2003		RECEIPT For Money Received from plaintiff Dennis Earl Fulbright in the amount of \$ 150.00, receipt # 095453 (mms) (Entered: 01/27/2003)
01/28/2003	<u>2</u>	ORDER by Honorable Vicki Miles-LaGrange, Case referred to Magistrate Judge Bana Roberts for conducting hrg, including evidentiary hrg if necessary, and submission of Findings & Recommendation (cc: all counsel) [EOD Date 1/28/03] (fp) (Entered: 01/28/2003)
01/30/2003	<u>3</u>	ORDER Requiring Service & Special report by Magistrate Judge Bana Roberts, ordered that officials responsible for the operation of Joseph Harp Correctional Center shall review the subj matter of the Complaint; a Special Report shall be attached to & filed w/the Ans or dispositive mtn due no later than 60 days fm the date of service of process on the Dft; a copy of this Order & the complaint w/summons shall be served on ea Dft; said service shall not be effected until the nec service papers hv been completed by Plf & furnished w/in 20 days fm this date to the Clk for processing & issuance (cc: all counsel) [EOD Date 1/30/03] (kab) (Entered: 01/30/2003)
02/07/2003	4	PRAECIPE for and issued 2 summons by plaintiff Dennis Earl Fulbright (fp) (Entered: 02/10/2003)
03/21/2003	5	LETTER from plaintiff Dennis Earl Fulbright showing confirmation of delivery of certified mail to Drew Edmondson, AG, which contained Fed Ct Summons. Cpy of receipts i sent out Feb 21, 2003 (fp) Modified on 03/25/2003 (Entered: 03/25/2003)
03/21/2003	6	LETTER from plaintiff Dennis Earl Fulbright re cpy of two receipts of the certified mail containing the summons to Mr. Ward, also, enclosed the response fm the

		Postmaster General, which were the two tracking system confirmation rpts (fp) (Entered: 03/25/2003)
04/21/2003	7	MOTION by defendant Ron Ward addl time to ans and/or resp and to transfer case (nm) (Entered: 04/22/2003)
04/25/2003	<u>8</u>	ORDER by Magistrate Judge Bana Roberts granting motion addl time to ans and/or resp [7-1] granting Dft an ext of 28 days or until May 19, 2003 w/in which to prepare & file his ans or other initial pleading responsive to Plf's Compl; & denying motion to transfer case [7-2] as premature w/out prej to reassertion of the mtn after the response has been filed or at such later time as is appropriate (cc: all counsel) [EOD Date 4/25/03] (kab) Modified on 04/25/2003 (Entered: 04/25/2003)
05/12/2003	9	NOTICE by defendant Ron Ward, Dept of Correction of Special Report of Review of Factual Basis of Claims Asserted in Civil Rights Complaint Purs to 42 USC Section 1983 (fp) (Entered: 05/12/2003)
05/12/2003	10	MOTION by defendant Ron Ward to dismiss w/Brief in Supt (fp) (Entered: 05/12/2003)
05/12/2003	11	ATTORNEY APPEARANCE for defendant Ron Ward by Stefan K. Doughty (fp) (Entered: 05/12/2003)
05/15/2003	12	APPENDIX filed by defendant Ron Ward, OK Dept of Corrections to Special Report of Review of Factual Basis of Clms Asserted in Civil Rights Cmp Purs to 42 USC 1983 re: [9-1] (fp) (Entered: 05/15/2003)
06/03/2003	13	RESPONSE by plaintiff Dennis Earl Fulbright to motion to dismiss [10-1] (brs) (Entered: 06/04/2003)
06/05/2003	<u>14</u>	ORDER by Honorable Vicki Miles-LaGrange, Case reassigned to Honorable Wayne E. Alley (cc: all counsel) [EOD Date 6/5/03] (fp) (Entered: 06/05/2003)
06/06/2003	<u>15</u>	ORDER by Honorable Wayne E. Alley, consolidating cases CIV-03-98-A with CIV-03-99-A and CIV-03-125-A. All future filings shall be made in CIV-03-98-A only. (cc: all counsel) [EOD Date 6/6/03] (brs) (Entered: 06/06/2003)
06/10/2003	16	OBJECTIONS by plaintiff Dennis Earl Fulbright to notice [9-1] (cjs) (Entered: 06/12/2003)
07/17/2003	<u>17</u>	ENTER ORDER by Honorable Wayne E. Alley that in light of the consolidation order, the previous referral order in this case to Magistrate Judge Roberts is hereby vacated. This case is now referred to Magistrate Judge Gary M. Purcell (cc: all counsel) [EOD Date 7/17/03] (brs) (Entered: 07/17/2003)
07/17/2003	<u>18</u>	REPORT and RECOMMENDATION by Magistrate Judge Gary M. Purcell: it is recommended that Dft Ward's Mtn to Dism (Doc. #8) be GRANTED & cause of action be dism as to Plf Jones; it is fur recommended that Dft Ward's Mtn to Dism (Doc. #10) be DENIED as to Plf Fulbright & that Dft Ward's Mtn to Dism (Doc. #8) be DENIED as to Plf Cottriel; ptys adv of their respective rt to file an obj to this RRw/Clk of this Ct by 8/6/03; this RRpartiall disposes of the issues ref to the undersigned Judge in Cs Nos CIV-03-99-A & CIV-03-125-A & disposes of all issues in Cs. No CIV-03-98-A (cc: all counsel) (dm) (Entered: 08/08/2003)
08/20/2003	19	ANSWER by defendant Ron Ward (brs) (Entered: 08/22/2003)
08/21/2003	20	APPLICATION by defendant for order allowing deposition of plaintiff Fulbright (brs) (Entered: 08/22/2003)
08/21/2003	22	APPLICATION by defendant Ron Ward for order allowing deposition of plf Cottriel (dm) (Entered: 08/25/2003)
08/25/2003	<u>21</u>	ORDER by Magistrate Judge Gary M. Purcell granting motion for order allowing deposition of plaintiff Fulbright [20-1] at a date, time & place to be subsequently determined by mutual agreement or ntc of ptys (cc: all counsel) [EOD Date 8/25/03] (dm) (Entered: 08/25/2003)

08/25/2003	<u>23</u>	ORDER by Magistrate Judge Gary M. Purcell granting motion for order allowing deposition of plf Cottriel [22-1] (cc: all counsel) [EOD Date 8/25/03] (dm) (Entered: 08/25/2003)
09/04/2003	24	NOTICE by defendant Ron Ward of taking deposition of Dennis Earl Fulbright (brs) (Entered: 09/05/2003)
09/04/2003	25	MOTION by defendant Ron Ward to strike plaintiffs' objection to defendant's answer (brs) (Entered: 09/05/2003)
09/08/2003	26	MOTION by plaintiff Dennis Earl Fulbright to proceed in forma pauperis (brs) (Entered: 09/09/2003)
09/11/2003	<u>27</u>	ORDER by Magistrate Judge Gary M. Purcell denying motion as moot to proceed in forma pauperis [26-1] as Court's records reflect Plf has pd the \$150. filing fee (cc: all counsel) [EOD Date 9/11/03] (dm) (Entered: 09/11/2003)
09/11/2003	<u>28</u>	ORDER by Magistrate Judge Gary M. Purcell: Plf's Mtn for Appointment of Cnsl filed March 10, 2003, is DENIED (cc: all counsel) [EOD Date 9/11/03] (dm) (Entered: 09/11/2003)
09/11/2003	29	OBJECTIONS by plaintiffs to defendant's notice of deposition [24-1] (brs) (Entered: 09/12/2003)
09/11/2003	30	RESPONSE by plaintiffs to defendant's motion to strike plaintiffs' objection to defendant's answer [25-1] (brs) (Entered: 09/12/2003)
09/26/2003	31	FIRST INTERROGATORY to defendant by plaintiff Dennis Earl Fulbright (brs) (Entered: 09/29/2003)
09/29/2003	<u>32</u>	ORDER by Magistrate Judge Gary M. Purcell striking Plfs' First Interrogatory To Dft [31-1]: Depos, interrogatories, reqs for docs, reqs for admissions, &answs &resps thereto shall not be filed w/Clk unless on ord of the Ct or unless they are attached to a mtn, resp thereto, or are needed for use in a trial or hrg (LCvR 5.31) (cc: all counsel) [EOD Date 9/30/03] (dm) (Entered: 09/30/2003)
10/07/2003	33	MOTION by plaintiff Dennis Earl Fulbright for leave request to serve interrogatories on defendant (brs) (Entered: 10/08/2003)
10/20/2003	<u>34</u>	ORDER granting 25 Motion to Strike Plf's Obj to Dft's Answer, denying 29 Plf's Obj to Dft's Ntc of Depositions, denying 33 Plaintiff's Motion seeking an order allowing Plfs to serve interrogatories. Signed by Judge Gary M. Purcell on 10/20/03. (dm) (Entered: 10/20/2003)
10/20/2003	<u>35</u>	MOTION for Preliminary Injunction by Dennis Earl Fulbright. (db,) (Entered: 10/21/2003)
10/30/2003	<u>36</u>	MOTION for Reconsideration by Dennis Earl Fulbright. (Attachments: # <u>1</u> Exhibit Interrogatories)(db,) (Entered: 10/31/2003)
11/03/2003	<u>37</u>	RESPONSE by Dft to re <u>35</u> Plf's MOTION for Preliminary Injunction filed by Ron Ward. (brs,) (Entered: 11/04/2003)
11/10/2003	<u>38</u>	NOTICE by Dennis Earl Fulbright (db,) (Entered: 11/12/2003)
11/12/2003	<u>39</u>	REPLY to Response to Motion re <u>35</u> MOTION for Preliminary Injunction filed by Dennis Earl Fulbright. (Attachments: # <u>1</u> Exhibit)(db,) (Entered: 11/13/2003)
11/13/2003	<u>40</u>	ORDER appointing Attorney Rand C Eddy for Dennis Earl Fulbright added. Order entered 9/11/03 (Doc. #36) is vacated, &Plfs' request for Appointment of Counsel (Doc. 334) is GRANTED. . Signed by Judge Gary M. Purcell on 11/13/03. (dm) (Entered: 11/13/2003)
11/26/2003	<u>41</u>	ENTRY of Appearance by Rand C Eddy on behalf of Dennis Earl Fulbright (brs,) (Entered: 12/01/2003)
01/13/2004		Motion No Longer Referred: RRent 7/17/03, Doc. #18, recommended that 10 Motion to Dismiss be DENIED. RRpartially disposes of issues ref to Judge Purcell) (dm). (Entered: 01/13/2004)

02/02/2004		7/17/03 RRpartially disposed of issues ref to Judge Gary M. Purcell. (dm) (Entered: 02/02/2004)
02/06/2004	<u>42</u>	ORDER REASSIGNING CASE. Case reassigned to Judge Lee R. West for all further proceedings. Judge Wayne E. Alley no longer assigned to case. Signed by Judge Wayne E. Alley on 2/6/04. (brs,) (Entered: 02/06/2004)
02/24/2004	<u>43</u>	UNOPPOSED MOTION to Consolidate Cases and MOTION Appoint Counsel and Brief in Support by Dennis Earl Fulbright and Jon A Cottriel. (nm,). (Entered: 02/25/2004)
02/26/2004	<u>44</u>	ORDER referring <u>43</u> Motion to Appoint Counsel, granting <u>43</u> Motion to Consolidate Cases . Signed by Judge Lee R. West on 2/26/04. (brs,) (Entered: 02/26/2004)
02/26/2004		CASE REFERRED to Magistrate Judge Gary M. Purcell., Cases associated. (brs,) (Entered: 02/26/2004)
02/26/2004	<u>45</u>	ENTER ORDER: In consideration of <u>40</u> Order appointing cnsl ent in these consolidated matters, Plf's cnsl is dir to adv Ct w/in 10 days of cnsl's intention to join or w/draw Mtn for Prel Injunction filed by Plf's Fulbright & Cottriel on 10/20/04. Signed by Judge Gary M. Purcell on 2/26/04. (dm) (Entered: 02/27/2004)
03/01/2004	<u>46</u>	ORDER: Plf's Unopposed Mtn to Consolidate Cases, Appoint Cnsl & Brf in Supp (Doc. #19) is granted as to motion to appoint cnsl in Case CIV-03-1465-W . Signed by Judge Gary M. Purcell on 3/1/04. (dm,) (Entered: 03/01/2004)
03/08/2004	<u>47</u>	NOTICE of Advisement to the Court by Dennis Earl Fulbright (brs,) (Entered: 03/09/2004)
04/22/2004	<u>48</u>	GENERAL ORDER 04-02 (April 15, 2004) Mandatory Electronic Case Filing. Signed by Judge Lee R. West on 4/15/04. (brs,) (Entered: 04/22/2004)
05/06/2004	<u>49</u>	ENTER ORDER re <u>35</u> MOTION for Preliminary Injunction filed by Dennis Earl Fulbright: Hearing set for Tuesday, 6/8/2004 10:00 AM in Courtroom #103 before Magistrate Judge Gary M. Purcell.. Signed by Judge Gary M. Purcell on 5/6/04. (dm) (Entered: 05/06/2004)
05/07/2004	<u>50</u>	ENTER ORDER: Ord dated 8/11/03, in case no. CIV-03-98-A (attached hereto) is to be entered as of this date in CIV-03-99-W and CIV-03-125-W to reflect denials of mtns to dismiss in CIV-03-99 and CIV-03-125 . Signed by Judge Gary M. Purcell on 5/7/04. (dm) (Entered: 05/07/2004)
05/13/2004	<u>51</u>	ORDER re: CIV-03-1465-W as to Dft's (Doc. #27) Unopposed Mtn to Strike Deadlines . Signed by Judge Gary M. Purcell on 5/13/04. (dm) (Entered: 05/13/2004)
05/28/2004	<u>52</u>	MOTION to Continue <i>Hearing on Plaintiffs' Motion for Preliminary Injunction</i> by Ron Ward. (Doughty, Stefan) (Entered: 05/28/2004)
05/28/2004	<u>53</u>	ORDER denying <u>52</u> Defendant's Motion to Continue Hearing on Plfs' "Motions for Preliminary Injunction" in the Fulbright & Cottriel matters. Signed by Judge Gary M. Purcell on 5/28/04. (dm) (Entered: 06/01/2004)
06/02/2004	<u>54</u>	MOTION for Writ of Habeas Corpus ad testificandum by Dennis Earl Fulbright. (Eddy, Rand) (Entered: 06/02/2004)
06/04/2004	<u>55</u>	ORDER granting <u>54</u> Motion for Writ of Habeas Corpus ad testificandum. Writ issued. Hearing set for 6/8/04 @ 10:00 before Judge Purcell. Signed by Judge Gary M. Purcell on 6/4/04. (dm) (Entered: 06/04/2004)
06/04/2004	<u>56</u>	Mail Returned (Doc. #53, Order) as Undeliverable. Mail sent to Dennis Earl Fulbright (dm) (Entered: 06/04/2004)
06/04/2004	<u>57</u>	ENTER ORDER striking hearing set on 6/8/04 @ 10:00 a.m.. Signed by Judge Gary M. Purcell on 6/4/04. (dm) (Entered: 06/04/2004)
06/07/2004	<u>58</u>	Writ of Habeas Corpus ad Testificandum for Dennis Fulbright Returned Unexecuted. (dm) (Entered: 06/10/2004)

06/15/2004	<u>59</u>	NOTICE of Change of Address by Dennis Earl Fulbright (db,) (Entered: 06/15/2004)
06/15/2004	<u>60</u>	ENTER ORDER: re <u>35</u> MOTION for Preliminary Injunction filed by Dennis Earl Fulbright. Hearing set on Thursday, 7/8/2004, 10:00 AM in Courtroom #103 before Magistrate Judge Gary M. Purcell. Signed by Judge Gary M. Purcell on 6/15/04. (dm) (Entered: 06/15/2004)
06/16/2004	<u>61</u>	ENTRY of Appearance by J Kevin Behrens on behalf of Ron Ward (Behrens, J) (Entered: 06/16/2004)
06/17/2004	<u>62</u>	MOTION for Writ of Habeas Corpus ad testificandum by Dennis Earl Fulbright. (Eddy, Rand) (Entered: 06/17/2004)
06/21/2004	<u>63</u>	ORDER granting <u>62</u> Motion for Writ of Habeas Corpus ad testificandum . Signed by Judge Gary M. Purcell on 6/21/04. (dm) (Entered: 06/21/2004)
06/21/2004	<u>64</u>	Writ of Habeas Corpus ad Testificandum Issued as to Dennis Earl Fulbright for Thursday, July 8, 2004, at 10:00 a.m.. (dm) (Entered: 06/21/2004)
07/08/2004	<u>65</u>	Minute Entry for proceedings held before Judge Gary M. Purcell : Motion Hearing held on 7/8/2004 re <u>35</u> Plf's MOTION for Preliminary Injunction. Evidence taken. Argument presented. Ct takes matter under advisement. Plf's Exh Nos. 1,2 admitted w/o objection (attached) (Court Reporter Jeanne Ring) (dm) (Entered: 07/09/2004)
08/12/2004	<u>66</u>	NOTICE of Change of Address by Dennis Earl Fulbright (db,) (Entered: 08/16/2004)
08/25/2004	<u>67</u>	REPORT AND RECOMMENDATION: It is recommended that <u>35</u> MOTION for Preliminary Injunction filed by Dennis Earl Fulbright be GRANTED. Objections to RRdue by 9/14/2004. This RRpartially disposes of the issues ref to the undersigned Judge in the captioned matter. Signed by Judge Gary M. Purcell on 8/25/04. (dm) (Entered: 08/25/2004)
08/30/2004	<u>68</u>	ORDER denying <u>36</u> Motion for Reconsideration . Signed by Judge Gary M. Purcell on 8/30/04. (dm) (Entered: 08/30/2004)
09/14/2004	<u>69</u>	OBJECTION to <u>67</u> Report and Recommendation re <i>Plaintiffs' Motions for Preliminary Injunction</i> by Ron Ward. (Attachments: # <u>1</u> Exhibit 1 -- Killingsworth Petition# <u>2</u> Exhibit 2 -- Interoffice Memorandum re Cottriel Assault)(Doughty, Stefan) (Entered: 09/14/2004)
01/21/2005	<u>70</u>	ORDER ADOPTING SECOND SUPPLEMENTAL REPORT AND RECOMMENDATION <u>35</u> Granting Plaintiff's Motion for Preliminary Injunction filed by Dennis Earl Fulbright, Re <u>35</u> , <u>67</u> . The defendant is ordered to provide these three plaintiffs a kosher diet at no cost to them until further Order of the Court. This case is re-referred to Magistrate Judge Purcell for further proceedings. Signed by Judge Lee R. West on 1/21/05. (brs,) (Entered: 01/21/2005)
01/21/2005		CASE RE-REFERRED to Magistrate Judge Gary M. Purcell. (brs,) (Entered: 01/21/2005)
01/31/2005	<u>71</u>	ORDER: In consideration of Order entered 1/21/05 by US District Judge West re-referring these consolidated cases to the undersigned for further proceedings, the following ddl is established for this matter: February 25, 2005 - dispositive Motions . Signed by Judge Gary M. Purcell on 1/31/05. (dm) (Entered: 01/31/2005)
02/03/2005	<u>72</u>	MOTION for Extension of Time by Ron Ward. (Behrens, J) (Entered: 02/03/2005)
02/04/2005	<u>73</u>	ORDER granting <u>72</u> Defendant's Motion for Extension of Time. The Dispositive Motion ddl originally set for 2/25/05 is hereby extended until 4/26/05. Signed by Judge Gary M. Purcell on 2/4/05. (dm) (Entered: 02/04/2005)
03/28/2005	<u>74</u>	MOTION to Clarify <i>Court's Order Granting Preliminary Injunction</i> by Ron Ward. (Attachments: # <u>1</u> Exhibit 3-23-05 Letter from Rand Eddy to Defendant's Counsel)(Doughty, Stefan) (Entered: 03/28/2005)

03/29/2005	<u>75</u>	ORDER denying <u>74</u> defendant's Motion to Clarify Order . Signed by Judge Lee R. West on 3/29/05. (brs,) (Entered: 03/29/2005)
04/15/2005	<u>76</u>	ORDER Granting Plaintiff's Application for Reimbursement of Costs. Signed by Judge Lee R. West on 4/15/05. (brs,) (Entered: 04/15/2005)
04/18/2005		TRANSCRIPT of Proceedings held on July 8, 2004 before Judge Purcell. Court Reporter: B. Jeanne Ring. Transcript of: Preliminary Injunction Hearing (dl,) (Entered: 04/20/2005)
04/20/2005	<u>77</u>	JOINT MOTION for Extension of Time for <i>Preliminary Injunction Relief</i> by Dennis Earl Fulbright. (Eddy, Rand) (Entered: 04/20/2005)
04/21/2005	<u>78</u>	ORDER granting <u>77</u> Motion for Extension of Preliminary Injunction, now set to expire on 4/25/05, beyond such date pursuant to the provisions of section 3626 . Signed by Judge Lee R. West on 4/21/05. (brs,) (Entered: 04/21/2005)
04/25/2005	<u>79</u>	UNOPPOSED MOTION for Extension of Time to <i>File Dispositive Motions</i> by Ron Ward. (Doughty, Stefan) (Entered: 04/25/2005)
04/26/2005	<u>80</u>	MOTION for Summary Judgment <i>and Brief in Support</i> by Dennis Earl Fulbright. (Attachments: # <u>1</u> Exhibit 1– Transcript Part 1# <u>2</u> Exhibit 2 – Transcript Part 2# <u>3</u> Exhibit 2 – Affidavit of Allan Kerby)(Eddy, Rand) (Entered: 04/26/2005)
04/28/2005	<u>81</u>	ORDER granting <u>79</u> Motion for Extension of Time until 5/11/05 to file dispositive motions. Signed by Judge Gary M. Purcell on 4/28/05. (dm) (Entered: 04/28/2005)
05/03/2005	<u>82</u>	NOTICE to Take Deposition of Representative of the Oklahoma Department of Corrections by Dennis Earl Fulbright. (Eddy, Rand) (Entered: 05/03/2005)
05/03/2005	<u>83</u>	NOTICE to Take Deposition of Representative of the Oklahoma Department of Corrections by Dennis Earl Fulbright. (Eddy, Rand) (Entered: 05/03/2005)
05/09/2005	<u>84</u>	UNOPPOSED MOTION for Leave to <i>Submit Revised Affidavit of Alan Kerby, attached as Exhibit "B" to Plaintiffs' Motion for Summary Judgment</i> by Dennis Earl Fulbright. (Eddy, Rand) (Entered: 05/09/2005)
05/09/2005	<u>85</u>	UNOPPOSED MOTION for Leave to <i>submit Revised Affidavit of Alan Kerby, attached as Exhibit "B" to Plaintiffs Motion for Summary Judgment</i> by Dennis Earl Fulbright. (Eddy, Rand) (Entered: 05/09/2005)
05/09/2005		Docket Annotation: Document number 84 was revised and refiled as document number 85 in order to include the electronic signature. (brs,) (Entered: 05/09/2005)
05/10/2005	<u>86</u>	ORDER that the Court Strikes document 57 in Case CIV–03–1465–W and document 94 in Case CIV–03–125–W as misfiled . Signed by Judge Lee R. West on 5/10/05. (brs,) (Entered: 05/10/2005)
05/11/2005	<u>87</u>	UNOPPOSED MOTION for Leave to <i>File Brief in Excess of Page Limit</i> by Ron Ward. (Doughty, Stefan) (Entered: 05/11/2005)
05/11/2005	<u>88</u>	MOTION for Summary Judgment <i>and Brief in Support</i> by Ron Ward. (Attachments: # <u>1</u> Exhibit 1 – Hearing Transcript# <u>2</u> Exhibit 2 – Canteen Usage Report# <u>3</u> Exhibit 3 – Williams Affidavit# <u>4</u> Exhibit 4 – Jones Memo)(Doughty, Stefan) (Entered: 05/11/2005)
05/12/2005	<u>89</u>	ORDER granting <u>87</u> Motion for Leave to file a brief in excess of the page limit of 25 pages in support of his dispositive motions. Signed by Judge Gary M. Purcell on 5/12/05. (dm) (Entered: 05/12/2005)
05/12/2005	<u>90</u>	ORDER granting <u>85</u> Motion for Leave to submit a revised affidavit of Alan Kerby attached as Exhibit "B" to Plaintiff's Motion for Summary Judgment. Signed by Judge Gary M. Purcell on 5/12/05. (dm) (Entered: 05/12/2005)
05/14/2005	<u>91</u>	UNOPPOSED MOTION for Extension of Time to File Response/Reply as to <u>80</u> MOTION for Summary Judgment <i>and Brief in Support</i> by Ron Ward. (Behrens, J) (Entered: 05/14/2005)
05/16/2005	<u>92</u>	ORDER: Plaintiff shall have until 6/1/05 to respond to <u>88</u> MOTION for Summary Judgment filed by Ron Ward . Signed by Judge Gary M. Purcell on 5/12/05. (dm)

		(Entered: 05/16/2005)
05/18/2005	<u>93</u>	NOTICE by Dennis Earl Fulbright of <i>Filing Revised Affidavit of Alan D. Kerby Pursuant to Court's Order of May 12, 2005</i> (Attachments: # <u>1</u> Exhibit Revised Affidavit of Alan Kerby – Exh "B" to MSJ)(Eddy, Rand) (Entered: 05/18/2005)
05/19/2005	<u>94</u>	UNOPPOSED MOTION for Extension of Time to File Response/Reply to <i>Defendant's Motion for Summary Judgment</i> by Dennis Earl Fulbright. (Eddy, Rand) (Entered: 05/19/2005)
05/20/2005	<u>95</u>	NOTICE to Take Deposition of Gregg Williams by Dennis Earl Fulbright. (Eddy, Rand) (Entered: 05/20/2005)
05/23/2005	<u>96</u>	RESPONSE to Motion re <u>80</u> MOTION for Summary Judgment <i>and Brief in Support</i> filed by Ron Ward. (Attachments: # <u>1</u> Exhibit 1 – Requests to Staff – Jerry Harmon# <u>2</u> Exhibit 2 – Request to Staff – Dennis Fulbright# <u>3</u> Exhibit 3 – Records of Asst. Warden Ezell# <u>4</u> Exhibit 4 – Notice of Contract Award# <u>5</u> Exhibit 5 – Affidavit of Greg Williams# <u>6</u> Exhibit 6 – Transcript of Proceedings, July 8, 2004# <u>7</u> Exhibit 7 – Requests to Staff – Gary Middaugh)(Behrens, J) (Entered: 05/23/2005)
05/24/2005	<u>97</u>	ORDER granting Plaintiff's <u>94</u> Motion for Extension of Time to File Response to Defendant's Motion for Summary Judgment. Response due by 6/8/2005. Signed by Judge Gary M. Purcell on 5/24/05. (dm) (Entered: 05/24/2005)
05/26/2005	<u>98</u>	ENTER ORDER granting Defendant's <u>91</u> Unopposed Motion for Extension of Time to File Response to <u>80</u> MOTION for Summary Judgment . Signed by Judge Gary M. Purcell on 5/26/05. (dm) (Entered: 05/26/2005)
06/06/2005	<u>99</u>	UNOPPOSED MOTION for Extension of Time to File Response/Reply as to <u>88</u> MOTION for Summary Judgment <i>and Brief in Support</i> by Dennis Earl Fulbright. (Eddy, Rand) (Entered: 06/06/2005)
06/06/2005	<u>100</u>	UNOPPOSED MOTION for Leave to File Reply <i>Brief in Response to Defendant's Response to Plaintiffs' Motion for Summary Judgment</i> by Dennis Earl Fulbright. (Eddy, Rand) (Entered: 06/06/2005)
06/06/2005	<u>101</u>	ORDER granting <u>99</u> Plaintiff's Unopposed Motion for Extension of Time to File Response to Defendant's Motion for Summary Judgment. Responses due by 6/22/2005. Signed by Judge Gary M. Purcell on 6/6/2005. (bc,) (Entered: 06/06/2005)
06/06/2005	<u>102</u>	ORDER granting <u>100</u> Plaintiff's Unopposed Motion for Leave to File Reply to Defendant's Response to Plaintiff's Motion for Summary Judgment. Signed by Judge Gary M. Purcell on 6/6/2005. (bc,) (Entered: 06/06/2005)
06/07/2005	<u>103</u>	NOTICE to Take Deposition of Gregg Williams by Dennis Earl Fulbright. (Eddy, Rand) (Entered: 06/07/2005)
06/16/2005	<u>104</u>	UNOPPOSED MOTION for Leave to <i>File A Brief in Excess of Page Limitations</i> by Dennis Earl Fulbright. (Eddy, Rand) (Entered: 06/16/2005)
06/20/2005	<u>105</u>	ORDER granting Plaintiff's <u>104</u> Unopposed Application for Leave to file a brief in excess of the page limit of 25 pages in support of their Response to Dft's Mtn for SJ. Signed by Judge Gary M. Purcell on 6/20/05. (dm) (Entered: 06/20/2005)
06/22/2005	<u>106</u>	REPLY by Plaintiff Dennis Earl Fulbright re <u>96</u> Response to Motion, <i>re: Plaintiff's Motion for Summary Judgment</i> filed by Dennis Earl Fulbright. (Attachments: # <u>1</u> Exhibit Deposition of Robert Ezell# <u>2</u> Exhibit Deposition of Alan Kerby)(Eddy, Rand) (Entered: 06/22/2005)
06/22/2005	<u>107</u>	RESPONSE to Motion re <u>88</u> MOTION for Summary Judgment <i>and Brief in Support</i> filed by Dennis Earl Fulbright. (Attachments: # <u>1</u> Part 2 – Response Brief# <u>2</u> Exhibit 1 – Transcript of Preliminary Hearing# <u>3</u> Exhibit 2 – Canteen Receipts# <u>4</u> Exhibit 3 – Deposition of Cottriel# <u>5</u> Exhibit 4 – Deposition of Ezell# <u>6</u> Exhibit 5 – Affidavit of Greg Williams# <u>7</u> Exhibit 6 – Deposition of Williams# <u>8</u> Exhibit 7 – Deposition of Kerby# <u>9</u> Exhibit 8 – Interoffice Memorandum# <u>10</u> Exhibit 9 – Food Budget Printout)(Eddy, Rand) (Entered: 06/22/2005)

06/24/2005	<u>108</u>	UNOPPOSED MOTION for Leave to File Reply to <i>Plaintiff's Response to Defendant's Motion for Summary Judgment</i> by Ron Ward. (Behrens, J) (Entered: 06/24/2005)
06/24/2005	<u>110</u>	Mail Returned (Doc. #105 Order granting lv to file brf in excess of 25 pgs) as Undeliverable. Mail sent to Dennis Earl Fulbright (dm) (Entered: 06/28/2005)
06/27/2005	<u>109</u>	ORDER Before the Court is Defendant, Ron Ward's Unopposed Motion for Leave to File a reply to Plaintiffs' Response to Defendant's Motion for Summary Judgment. Plaintiffs' counsel does not object to Defendant's request to file a reply brief. Therefore, the unopposed motion for leave to file a reply brief is granted. Defendant's reply brief shall be filed on or before July 18, 2005. DONE and ORDERED this 27th day of June, 2005. granting granting <u>108</u> Motion for Leave to File Reply . Signed by Judge Gary M. Purcell on 6/27/05. (sr,) (Entered: 06/27/2005)
07/18/2005	<u>111</u>	REPLY to Response to Motion re <u>88</u> MOTION for Summary Judgment <i>and Brief in Support</i> filed by Ron Ward. (Attachments: # <u>1</u> Exhibit 2 — copy of transcript of deposition of Alan Kerby# <u>2</u> Exhibit 1 — copy of transcript of deposition of Robert Ezell)(Doughty, Stefan) (Entered: 07/18/2005)
09/08/2005	<u>112</u>	REPORT AND RECOMMENDATION re <u>80</u> MOTION for Summary Judgment filed by Dennis Earl Fulbright and <u>88</u> MOTION for Summary Judgment filed by Defendant. It is recommended that Plfs' Mtn for SJ be GRANTED & that Dft's Mtn for SJ be DENIED, that judgment issue in favor of Plfs & against the Dft, & that the temporary injunction be made permanent. Objections to RR due by 9/28/2005. This 3rd Supplemental RR disposes of all issues ref to the undersigned Judge in the captioned matter. Signed by Judge Gary M. Purcell on 9/8/05. (dm) (Entered: 09/08/2005)
09/08/2005		Judge Gary M. Purcell no longer assigned to case. (dm) (Entered: 09/08/2005)
09/27/2005	<u>113</u>	ENTRY of Appearance by Guy L Hurst on behalf of all defendants (Hurst, Guy) (Entered: 09/27/2005)
09/27/2005		Docket Annotation: Please disregard Document number <u>113</u> as it was filed in error. It will be resubmitted. (brs,) (Entered: 09/27/2005)
09/27/2005	<u>114</u>	ENTRY of Appearance by Guy L Hurst on behalf of Edward L Evans (Hurst, Guy) (Entered: 09/27/2005)
09/27/2005	<u>115</u>	MOTION to Dismiss of <i>Edward L. Evans and Brief in Support</i> by Edward L Evans. (Hurst, Guy) (Entered: 09/27/2005)
09/27/2005	<u>116</u>	MOTION for Extension of Time to File <i>Objection to Third Supplemental Report and Recommendation By Evans</i> by Edward L Evans. (Hurst, Guy) (Entered: 09/27/2005)
09/28/2005	<u>117</u>	MOTION for Order to <i>Withdraw Counsel of Record</i> by Ron Ward. (Behrens, J) (Entered: 09/28/2005)
09/28/2005	<u>118</u>	ORDER granting <u>116</u> Motion for Extension of Time to File objections to the Third Supplemental R & R. Defendant is granted 7 days after the Court resolves his Motion to Dismiss to file his objections. Signed by Judge Lee R. West on 9/28/05. (brs,) (Entered: 09/28/2005)
09/28/2005	<u>119</u>	ORDER granting <u>117</u> Motion to Withdraw Attorney Stefan K. Doughty . Signed by Judge Lee R. West on 9/28/05. (brs,) (Entered: 09/28/2005)
10/11/2005	<u>120</u>	MOTION for Extension of Time to File Response/Reply as to <u>115</u> MOTION to Dismiss of <i>Edward L. Evans and Brief in Support and Leave to take the deposition of Edward L. Evans</i> by Dennis Earl Fulbright. (Eddy, Rand) (Entered: 10/11/2005)
10/12/2005	<u>121</u>	ORDER granting <u>120</u> Motion for Extension of Time and for Leave to Take the Deposition of Edward L. Evans. The plaintiffs are granted leave to depose defendant Edward Evans and the plaintiffs are directed to respond no later than 11/7/05 to the Motion to Dismiss . Signed by Judge Lee R. West on 10/12/05. (brs,) (Entered: 10/12/2005)

11/01/2005	<u>122</u>	UNOPPOSED MOTION for Extension of Time to File Response/Reply as to <u>115</u> MOTION to Dismiss of <i>Edward L. Evans and Brief in Support and for Leave to Take the Deposition of Justin Jones</i> by Dennis Earl Fulbright. (Eddy, Rand) (Entered: 11/01/2005)
11/01/2005	<u>123</u>	ORDER granting <u>122</u> Motion for Extension of Time to File Response re <u>115</u> MOTION to Dismiss of <i>Edward L. Evans and Brief in Support; Response due by 11/28/2005. The Court also grants leave to depose Justin Jones. Signed by Judge Lee R. West on 11/1/05. (brs,)</i> (Entered: 11/01/2005)
11/08/2005	<u>124</u>	NOTICE to Take Deposition of Justin Jones by Dennis Earl Fulbright. (Eddy, Rand) (Entered: 11/08/2005)
11/28/2005	<u>125</u>	RESPONSE to Motion re <u>115</u> MOTION to Dismiss of <i>Edward L. Evans and Brief in Support</i> filed by Dennis Earl Fulbright. (Attachments: # <u>1</u> Exhibit 1 – Fulbright Affidavit# <u>2</u> Exhibit 2 – Harmon Affidavit# <u>3</u> Exhibit 3 – Director's News Update# <u>4</u> Exhibit 4 – Jones Deposition# <u>5</u> Exhibit 5 – November 4, 2005 letter# <u>6</u> Exhibit 6 – DOC Policy)(Eddy, Rand) (Entered: 11/28/2005)
12/01/2005	<u>126</u>	ORDER that the Court Directs Justin Jones, hereby substituted as the defendant, to file a reply on or before 12/9/05, to the Plaintiffs' Objection and Response re <u>125</u> , <u>115</u> . Signed by Judge Lee R. West on 12/1/05. (brs,) (Entered: 12/01/2005)
12/09/2005	<u>127</u>	ENTRY of Appearance by J Kevin Behrens on behalf of Justin Jones (Behrens, J) (Entered: 12/09/2005)
12/09/2005	<u>128</u>	FIRST MOTION for Leave to Appear Entry of Appearance by Justin Jones. (Hurst, Guy) (Entered: 12/09/2005)
12/09/2005	<u>129</u>	RESPONSE to Motion re <u>115</u> MOTION to Dismiss of <i>Edward L. Evans and Brief in Support Director Justin Jones' Reply for His Motion to Dismiss</i> filed by Justin Jones. (Hurst, Guy) (Entered: 12/09/2005)
12/09/2005	<u>130</u>	ENTRY of Appearance by Guy L Hurst on behalf of Justin Jones (Hurst, Guy) (Entered: 12/09/2005)
12/09/2005		Docket Annotation: Please disregard document number <u>128</u> as being filed incorrectly. It has been correctly filed as document number <u>130</u> . (brs,) (Entered: 12/12/2005)
01/06/2006	<u>131</u>	ORDER denying <u>115</u> Motion to Dismiss. Directing the parties to confer within 7 days to agree upon a proposed order and to submit such an order to the Court for approval. Should the parties be unable to agree upon the order and instead, desire to file objections to the Third Supplemental R &R, the Court extends the deadline for doing so to 10 days from this date re <u>112</u> . Signed by Judge Lee R. West on 1/6/05. (brs,) (Entered: 01/06/2006)
01/20/2006	<u>132</u>	OBJECTION to <u>112</u> Report and Recommendation by Justin Jones. (Behrens, J) (Entered: 01/20/2006)
01/26/2006	<u>133</u>	ORDER ADOPTING REPORT AND RECOMMENDATION and denying the motions for summary judgment. The Court directs plaintiffs to submit within 7 days, for the Court's approval, a proposed judgment re <u>112</u> , <u>88</u> , <u>80</u> . Signed by Judge Lee R. West on 1/26/06. (brs,) (Entered: 01/26/2006)
02/08/2006	<u>134</u>	JUDGMENT in favor of plaintiffs . Signed by Judge Lee R. West on 2/8/06. (brs,) (Entered: 02/08/2006)
02/22/2006	<u>135</u>	BRIEF IN SUPPORT of <i>Application for Bill of Costs</i> by Dennis Earl Fulbright. (Eddy, Rand) (Entered: 02/22/2006)
02/22/2006	<u>136</u>	BILL OF COSTS by Dennis Earl Fulbright. (Attachments: # <u>1</u> Exhibit 1 – Bill of Costs Itemization# <u>2</u> Exhibit 2 – Disbursement Invoice# <u>3</u> Exhibit 3 – Fees of the Clerk# <u>4</u> Exhibit 4 – Fees for Court Reporters# <u>5</u> Exhibit 5 – Fees for Witnesses# <u>6</u> Exhibit 6 – Fees for Exemplification and Copies# <u>7</u> Exhibit 7 – Other Costs – Part 1# <u>8</u> Exhibit 7 – Other Costs – Part 2)(Eddy, Rand) (Entered: 02/22/2006)
02/22/2006	<u>137</u>	MOTION for Attorney Fees and <i>Brief In Support</i> by Dennis Earl Fulbright. (Attachments: # <u>1</u> Exhibit 1 – Eddy Affidavit)(Eddy, Rand) (Entered: 02/22/2006)

02/22/2006	<u>138</u>	NOTICE OF BILL OF COSTS HEARING, Bill of Costs Hearing set for 4/4/2006 at 10:00 AM in Court Clerk's Office (brs,) (Entered: 02/23/2006)
03/07/2006	<u>139</u>	NOTICE OF APPEAL by Justin Jones. (Behrens, J) (Entered: 03/07/2006)
03/08/2006	<u>140</u>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>139</u> Notice of Appeal (dl,) (Entered: 03/08/2006)
03/13/2006	<u>141</u>	USCA Case Number 06-6098 for <u>139</u> Notice of Appeal filed by Justin Jones., (dl,) (Entered: 03/13/2006)
03/13/2006	<u>142</u>	RESPONSE to Motion re <u>137</u> MOTION for Attorney Fees <i>and Brief In Support</i> filed by Justin Jones. (Behrens, J) (Entered: 03/13/2006)
03/13/2006	<u>143</u>	RESPONSE to <i>Plaintiffs' Bill of Costs</i> filed by Justin Jones. (Behrens, J) (Entered: 03/13/2006)
03/17/2006	<u>144</u>	TRANSCRIPT Order Form by Justin Jones that transcripts are not necessary. See order form for dates and proceedings. (Behrens, J) (Entered: 03/17/2006)
03/17/2006	<u>145</u>	USCA Appeal Fee received in the amount of \$ 255, receipt number 115460, re <u>139</u> Notice of Appeal filed by Justin Jones, (dl,) (Entered: 03/20/2006)
03/22/2006	<u>146</u>	ORDER that Plaintiff is directed to file a reply by 3/30/06 to their Motion for Attorney Fees re <u>137</u> . Signed by Judge Lee R. West on 3/22/06. (brs,) (Entered: 03/22/2006)
03/30/2006	<u>147</u>	REPLY to Response to Motion re <u>137</u> MOTION for Attorney Fees <i>and Brief In Support</i> filed by Dennis Earl Fulbright. (Attachments: # <u>1</u> Exhibit 1 - 18 USC Sec. 3006A# <u>2</u> Exhibit 2 - Behrens correspondence)(Eddy, Rand) (Entered: 03/30/2006)
04/04/2006	<u>148</u>	Costs Taxed in amount of \$ 3,359.85 against Defendant (brs,) (Entered: 04/04/2006)
04/07/2006	<u>149</u>	TRANSCRIPT LETTER advising that transcripts are not necessary re <u>139</u> Notice of Appeal filed by Justin Jones,. The record is ready for appeal purposes. (dl,) (Entered: 04/07/2006)
04/10/2006	<u>150</u>	ORDER granting <u>137</u> Motion for Attorney Fees. Signed by Judge Lee R. West on 4/10/06. (lb) (Entered: 04/10/2006)
04/11/2006	<u>151</u>	OBJECTIONS re <u>150</u> Order on Motion for Attorney Fees filed by Justin Jones. (Behrens, J) (Entered: 04/11/2006)
04/17/2006	<u>152</u>	ORDER advising the plaintiffs that if they intend to respond to the defendant's Objections, such response should be filed no later than 4/21/06 re <u>151</u> Objections filed by Justin Jones, . Signed by Judge Lee R. West on 4/17/06. (brs,) (Entered: 04/17/2006)
04/21/2006	<u>153</u>	REPLY by Plaintiff Dennis Earl Fulbright re <u>151</u> Objections to <i>Order Taxing Costs</i> filed by Dennis Earl Fulbright. (Eddy, Rand) (Entered: 04/21/2006)
05/02/2006	<u>154</u>	NOTICE by Justin Jones re <u>150</u> Order on Motion for Attorney Fees <i>Notice of Appeal of Judgment of Attorney Fees</i> (Behrens, J) (Entered: 05/02/2006)
05/02/2006	<u>155</u>	NOTICE OF APPEAL as to <u>150</u> Order on Motion for Attorney Fees by Justin Jones. (Behrens, J) (Entered: 05/02/2006)
05/02/2006	<u>156</u>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>155</u> Notice of Appeal (dl,) (Entered: 05/02/2006)
05/08/2006	<u>157</u>	USCA Case Number 06-6161 for <u>155</u> Notice of Appeal filed by Justin Jones., (dl,) (Entered: 05/08/2006)
05/09/2006	<u>158</u>	ORDER that the Court Overrules Jones' Objection to Order Taxing Costs and Affirms the Clerk's award of costs in favor of the plaintiffs in the amount of \$3,359.85 re <u>151</u> . Signed by Judge Lee R. West on 5/9/06. (brs,) (Entered: 05/09/2006)

05/11/2006	<u>159</u>	USCA Appeal Fee received in the amount of \$ 455, receipt number 116368, re <u>155</u> Notice of Appeal filed by Justin Jones, (dl,) (Entered: 05/15/2006)
06/08/2006	<u>160</u>	TRANSCRIPT LETTER advising that no transcripts are necessary re <u>155</u> Notice of Appeal filed by Justin Jones,. The record is ready for appeal purposes. (dl,) (Entered: 06/08/2006)
07/28/2006	<u>161</u>	MANDATE From USCA – Upon consideration of the stipulation to dismiss these appeals, it is ordered that the appeals be hereby are DISMISSED <u>139</u> Notice of Appeal filed by Justin Jones., <u>155</u> Notice of Appeal filed by Justin Jones, (dl,) (Entered: 07/28/2006)
03/30/2007	<u>162</u>	MOTION to Withdraw as Attorney by Dennis Earl Fulbright. (Eddy, Rand) (Entered: 03/30/2007)
04/02/2007	<u>163</u>	ORDER granting <u>162</u> Motion to Withdraw as Attorney. Attorney Rand C Eddy terminated. Signed by Judge Lee R. West on 4/2/07. (brs,) (Entered: 04/02/2007)
04/04/2007	<u>164</u>	MOTION for Order <i>to Allow Substitution of Counsel</i> by Justin Jones. (Martin, Angela) (Entered: 04/04/2007)
04/09/2007	<u>165</u>	ORDER granting <u>164</u> Motion for Order to Allow Substitution of Counsel. Signed by Judge Lee R. West on 4/9/07. (brs,) (Entered: 04/09/2007)
06/28/2012	<u>166</u>	MOTION for Order by Fred Smith. (Attachments: # <u>1</u> Exhibit 1–Letter from CCA, # <u>2</u> Exhibit 2–Meal Plan, # <u>3</u> Exhibit 3–Request to Staff, # <u>4</u> Exhibit 4–Request to Staff, # <u>5</u> Exhibit 5–Affidavit, # <u>6</u> Exhibit 6–Affidavit, # <u>7</u> Exhibit 7–Request to Staff, # <u>8</u> Exhibit 8–Response from CCA)(db,) (Entered: 06/29/2012)
06/29/2012	<u>167</u>	ORDER for Response on or before 7/19/12 by Justin Jones to <u>166</u> MOTION for for Finding of Contempt or for Supplementary Order filed by non–pty Fred Smith; DIRECTS Clk of Court to mail copy of this Order to Fred Smith, #218694, Davis Corr Facility, 6888 E 133rd Rd AN–146, Holdenville OK 74848; and electronically transmit copy of Smith's Mtn and this Order to Atty Gen of St of OK at fhc.docket@oag.state.ok.us. Signed by Honorable Lee R. West on 6/29/12. (ap) (Entered: 06/29/2012)
06/29/2012		Set/Reset Deadlines as to <u>166</u> MOTION for Order. Responses due by 7/19/2012 (ap) (Entered: 06/29/2012)
07/05/2012	<u>168</u>	Mail Returned as Undeliverable. Mail sent to Dennis Earl Fullbright (ap) (Entered: 07/12/2012)
07/18/2012	<u>169</u>	MOTION to Amend/Correct <u>167</u> Order for Response, <i>Brief Schedule</i> by Justin Jones. (Regens, Craig) (Entered: 07/18/2012)
07/19/2012	<u>170</u>	ORDER RE–REFERRING CASE to Magistrate Judge Gary M. Purcell. Including Mtn for Finding of Contempt, Doc #177, Mtn to Amend, Doc #179, filed in CIV–03–125–W; DIRECTS Clk of Court to mail copy of this Order to Fred Smith to address in Order. Signed by Honorable Lee R. West on 7/19/12. (ap) (Entered: 07/19/2012)
07/20/2012	<u>171</u>	ORDER granting <u>169</u> Motion to Amend/Correct Order for Response. Signed by Magistrate Judge Gary M. Purcell on 7/20/2012. (brs) (Entered: 07/20/2012)
07/26/2012	<u>172</u>	Mail Returned as Undeliverable. Mail sent to Dennis Earl Fulbright, Doc #171, Order, did not remail (ap) (Entered: 07/26/2012)
07/27/2012	<u>173</u>	Mail Returned as Undeliverable. Mail sent to Dennis Earl Fulbright, Doc #170, Order, did not remail (ap) (Entered: 07/27/2012)
07/31/2012	<u>174</u>	RESPONSE to Motion re <u>166</u> MOTION for Order <i>for Contempt</i> filed by Justin Jones. (Attachments: # <u>1</u> Exhibit OP–090124, # <u>2</u> Exhibit Clarkson v. Caoughlin)(Regens, Craig) (Entered: 07/31/2012)
08/10/2012	<u>175</u>	MOTION for Leave to Reply by Fred Smith. Motions referred to Gary M. Purcell. (db,) (Entered: 08/10/2012)
08/13/2012	<u>176</u>	FOURTH SUPPLEMENTAL REPORT AND RECOMMENDATION re <u>166</u> MOTION for Order filed by Fred Smith. it is recommended that Mr. Smiths

		Motion for Finding of Contempt or for a Supplementary Order be DENIED. Defendant Jones Motion to Amend Briefing Schedule is denied as moot. Mr. Smith is advised of the right to file an objection to this Fourth Supplemental R &R by 9/4/2012. This Fourth Supplemental Report and Recommendation disposes of all issues referred to the undersigned Magistrate Judge in the captioned matter, and any pending motion not specifically addressed herein is denied. Signed by Magistrate Judge Gary M. Purcell on 8/13/2012. (brs) (Entered: 08/13/2012)
08/13/2012		Magistrate Judge Gary M. Purcell no longer assigned to case. (brs) (Entered: 08/13/2012)
08/20/2012	<u>177</u>	Mail Returned as Undeliverable. Document <u>176</u> sent to Dennis Earl Fulbright marked "Return to Sender" "Unknown" (kw,) (Entered: 08/21/2012)
08/22/2012	<u>178</u>	NOTICE of Change of Address of Mr. Cottriel by Fred Smith (db,) Modified on 8/23/2012 (db,). (Entered: 08/23/2012)
09/06/2012	<u>179</u>	ORDER on 8/13/12, US Magistrate Judge Gary M Purcell issd <u>176</u> Fourth Supplemental REPORT AND RECOMMENDATION re <u>166</u> ; because there is no indication that Magistrate Judge Purcell's findings and recommendations were mailed to nonpty Fred Smith, the Court DIRECTS the Clk of Court to mail a copy of this order and copy of Fourth Suppl RRto Fred Smith, #218694, Davis Corr Facility, 6888 E 133rd Rd AN-146, Holdenville OK 74848 and show proof of same in records; EXTENDS deadline Smith may obj to Fourth Suppl RRto 9/24/12. Signed by Honorable Lee R West on 9/6/12 (ap) . (Entered: 09/06/2012)
09/06/2012		Docket Annotation: Doc Entry #179 was modified to reflect the signing of Order by Judge West (ap) (Entered: 09/06/2012)
09/06/2012		Docket Annotation: Copies of Docs #176, #179, mailed by US Mails to nonpty Fred Smith to address listed in Doc #179, Order (ap). (Entered: 09/06/2012)
09/06/2012		Docket Annotation: Second Doc Entry re mailing modified to reflect Docs #176 and #179 mailed to nonpty (ap) (Entered: 09/06/2012)
09/14/2012	<u>180</u>	OBJECTION TO REPORT AND RECOMMENDATION <u>176</u> filed by Fred Smith. (db,) (Entered: 09/17/2012)
09/26/2012	<u>181</u>	ORDER ADOPTING REPORT AND RECOMMENDATION the Court ADOPTS the <u>176</u> Fourth Supplemental Report and Recommendation; FINDS the judgment entered on 2/8/06, pertains only to claims by Fulbright, Cottriel and and Harmon agst Jones and contains no language that permits it to be enforced by all DOC inmates; deems MOOT Smith's <u>175</u> Motion for Leave to Reply; DENIES Smith's <u>166</u> Motion for Finding of Contempt or for a Supplementary Order; deems MOOT Jones' Motion to Amend Briefing Schedule; DIRECTS Clk of Court to mail copy of this Order to Fred Smithk #218694, CCA Davis Corr Facility, 6888 E 133rd Rd AN-146, Holdenville OK and show proof in the records. Signed by Honorable Lee R. West on 9/26/12. (ap) (Entered: 09/26/2012)
10/04/2012	<u>182</u>	Mail Returned as Undeliverable. Mail, Doc #181, sent to Dennis Earl Fulbright, returned marked "unknown", did not remail (ap) (Entered: 10/04/2012)
10/05/2012	<u>183</u>	MOTION for Reconsideration re <u>181</u> Order Adopting Report and Recommendation,, by Fred Smith. (db,) (Entered: 10/09/2012)
10/10/2012	<u>184</u>	ORDER the Court DENIES Smith's <u>183</u> Motion for Reconsideration; DIRECTS the Clk of Court to mail a copy of this Order to Fred Smith, #218694, CCA Davis Corr Facility, 6888 E 133rd Rd DS-147, Holdenville OK 74848 and show proof of same in records. Signed by Honorable Lee R. West on 10/10/12. (ap) (Entered: 10/10/2012)
10/18/2012	<u>185</u>	Mail Returned as Undeliverable. Mail sent to Dennis Earl Fulbright; Doc #184, Order, returned. Did not remail. (ap) (Entered: 10/19/2012)
08/29/2013	<u>186</u>	SIXTH REPORT AND RECOMMENDATION: it is recommended that Plaintiffs Application to Hold Defendant In Contempt Pursuant to Rule 70(e) of Federal Rules of Civil Procedure (Docs. # 194, 197). Objections to RRdue by 9/18/2013. This Sixth Supplemental Report and Recommendation disposes of all issues

		referred to the undersigned Magistrate Judge in the captioned matter, and any pending motion not specifically addressed herein is denied. Signed by Magistrate Judge Gary M. Purcell on 8/29/2013. (brs) (Entered: 08/29/2013)
09/06/2013	<u>187</u>	Mail Returned as Undeliverable. Mail sent to Dennis Earl Fulbright, Doc #186, Sixth Suppl Rreturned 'Unknown', did not remail (ap) (Entered: 09/06/2013)