

**U.S. District Court  
Western District of Virginia (Roanoke)  
CIVIL DOCKET FOR CASE #: 7:14-cv-00692-JPJ-RSB**

DePaola v. Virginia Department of Corrections et al  
Assigned to: Judge James P. Jones  
Referred to: Magistrate Judge Robert S. Ballou  
Case in other court: USCA, 16-07358  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 12/19/2014  
Date Terminated: 09/28/2016  
Jury Demand: None  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

**Plaintiff**

**Eric J. DePaola**

represented by **Eric J. DePaola**  
1145137  
Red Onion State Prison  
P.O. Box 1900  
Pound, VA 24279  
PRO SE

**Plaintiff**

**Denis Rivera**  
*TERMINATED: 04/08/2015*

**Plaintiff**

**Luis Velazquez**  
*TERMINATED: 04/08/2015*

V.

**Defendant**

**Virginia Department of Corrections**

represented by **John Michael Parsons**  
Office of the Attorney General of Virginia  
900 East Main Street  
Richmond, VA 23219  
804-786-0046  
Fax: 804-786-4239  
Email: [jparsons@oag.state.va.us](mailto:jparsons@oag.state.va.us)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Richard Carson Vorhis**  
Office of the Attorney General  
900 East Main Street  
Richmond, VA 23219  
804-786-4805  
Fax: 804-786-4239  
Email: [rvorhis@oag.state.va.us](mailto:rvorhis@oag.state.va.us)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Harold Clarke**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Richard Carson Vorhis**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**David Robinson**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Richard Carson Vorhis**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**G.K. Washington**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Richard Carson Vorhis**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Randall Mathena**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Richard Carson Vorhis**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Gregory Holloway**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Richard Carson Vorhis**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**External Review Team**  
*TERMINATED: 05/18/2016*

**Defendant**

**Dual Treatment Team**  
*TERMINATED: 05/18/2016*

**Defendant**

**Unit Manager Team**  
*TERMINATED: 05/18/2016*

**Defendant**

**Scott Richeson**

represented by **John Michael Parsons**  
Office of the Attorney General of Virginia

202 North Ninth Street  
Richmond, VA 23219  
804-786-0046  
Fax: 804-786-4239  
Email: [jparsons@oag.state.va.us](mailto:jparsons@oag.state.va.us)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Malcolm Taylor**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Keith Dawkins**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Dr. Brane**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Jim Parks**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Henry Ponton**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Earl Barksdale**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**George Hinkle**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**J. Walrath**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**I. Hamilton**

represented by **John Michael Parsons**  
(See above for address)

*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**T. Puryear**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**J. Artrip**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**A. Gallihar**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**G. Baker**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**Michael Younce**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**Walter Swiney**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**Tori Raiford**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**Dwayne Turner**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**Stacy Day**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Defendant**

**Christopher Gilbert**

represented by

**John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Joe Fannin**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Tony Adams**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**G.A. Adams**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**K.A. Sykes**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**R. Kegley**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**B.E. Stallard**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Jackson**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Elisabeth Thornton**

represented by **John Michael Parsons**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
12/19/2014	<u>1</u>	COMPLAINT pursuant to 42 U.S.C. §1983 against All Defendants, filed by Eric J. DePaola, Denis Rivera, Luis Velazquez. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Exhibit A, # <u>3</u> Envelope)(tvt)

12/19/2014	<u>2</u>	Order entered Conditionally Filing this action pursuant to 42 U.S.C. §1983; Advising inmate as to 3 strikes rule of PLRA; Assessing a filing fee; Deferring all action in this case; Advising inmate to comply within the allotted time and to notify of changes in address or risk dismissal. Signed by Magistrate Judge Robert S. Ballou on 12/19/2014. (tvt)
12/31/2014	<u>3</u>	Statement of Assets by Eric J. DePaola (Attachments: # <u>1</u> Envelope)(tvt)
12/31/2014	<u>4</u>	Verified Statement with attachments by Plaintiff Eric J. DePaola (tvt)
12/31/2014	<u>5</u>	Verified Statement by Plaintiff Denis Rivera (tvt)
12/31/2014	<u>6</u>	Statement of Assets by Denis Rivera (tvt)
12/31/2014	<u>7</u>	Statement of Assets by Luis Velazquez (tvt)
12/31/2014	<u>8</u>	Verified Statement with attachments by Plaintiff Luis Velazquez (tvt)
12/31/2014	<u>9</u>	Objections by Plaintiffs Eric J. DePaola, Denis Rivera, Luis Velazquez re <u>2</u> Order Prisoner Conditionally Filed (Attachments: # <u>1</u> Cover Letter)(tvt)
12/31/2014	<u>10</u>	MOTION for Extension of Time to File Response/Reply as to <u>2</u> Order Prisoner Condfil, by Eric J. DePaola, Denis Rivera, Luis Velazquez.Motions referred to Judge Robert S. Ballou. (tvt)
12/31/2014	<u>11</u>	ORDER granting <u>10</u> Motion for Extension of Time to File Response/Reply. Signed by Magistrate Judge Robert S. Ballou on 12/31/2014. (tvt)
01/05/2015	<u>12</u>	Inmate Account Report by Eric J. DePaola (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope)(tvt)
01/05/2015	<u>13</u>	Inmate Account Report by Denis Rivera (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope)(tvt)
01/05/2015	<u>14</u>	Inmate Account Report by Luis Velazquez (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope)(tvt)
01/05/2015	<u>15</u>	Order entered Conditionally Filing this action regarding <b>Eric J. DePaola</b> pursuant to 42 U.S.C. §1983; Deferring all action in this case; Advising inmate to comply within the allotted time and to notify of changes in address or risk dismissal. Signed by Magistrate Judge Robert S. Ballou on 1/5/2015. (tvt)
01/05/2015	<u>16</u>	Order entered Conditionally Filing this action regarding <b>DENIS RIVERA</b> pursuant to 42 U.S.C. §1983; Deferring all action in this case; Advising inmate to comply within the allotted time and to notify of changes in address or risk dismissal. Signed by Magistrate Judge Robert S. Ballou on 1/5/2015. (tvt)
01/05/2015	<u>17</u>	Order entered Conditionally Filing this action regarding <b>LUIS VELAZQUEZ</b> pursuant to 42 U.S.C. §1983 ; Deferring all action in this case; Advising inmate to comply within the allotted time and to notify of changes in address or risk dismissal. Signed by Magistrate Judge Robert S. Ballou on 1/5/2015. (tvt)
01/14/2015	<u>18</u>	Consent to Fee by Plaintiff Eric J. DePaola (tvt)
01/14/2015	<u>19</u>	Consent to Fee by Plaintiff Denis Rivera (tvt)
01/14/2015	<u>20</u>	Consent to Fee by Plaintiff Luis Velazquez (tvt)
01/14/2015	<u>21</u>	MOTION to Certify Class by Eric J. DePaola, Denis Rivera, Luis Velazquez. (Attachments: # <u>1</u> Envelope)(tvt)
01/14/2015	<u>22</u>	MOTION to Appoint Counsel by Eric J. DePaola, Denis Rivera, Luis Velazquez.Motions referred to Judge Robert S. Ballou. (tvt)
02/23/2015	<u>23</u>	Additional Evidence – Grievances by Denis Rivera (Attachments: # <u>1</u> Envelope)(tvt)
02/23/2015	<u>24</u>	Request for Copies by Eric J. DePaola (Clerk sending docket sheet as requested)(tvt)
02/27/2015	<u>25</u>	Letter by Eric J. DePaola requesting a copy of document No. 88 Dismissal Order filed in case 7:11-cv-191. Received payment of \$1.50 from defendant, and Copy forwarded to defendant on 3/3/15. (eot) (Entered: 03/03/2015)

03/06/2015	<u>26</u>	ORDER denying <u>21</u> Motion to Certify Class; denying <u>22</u> Motion to Appoint Counsel. Signed by Judge James P. Jones on 3/6/2015. (tvt)
03/09/2015	<u>27</u>	Request for Copies by Denis Rivera (Clerk sending docket sheet as requested)(tvt)
04/08/2015	<u>28</u>	ORDER <b>severing this action into three separate civil actions</b> ; one for each of the plaintiffs. Signed by Magistrate Judge Robert S. Ballou on 4/8/2015. (slt)
04/20/2015	<u>29</u>	Objections by Plaintiff Eric J. DePaola re <u>28</u> Order (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope)(slt)
04/20/2015	<u>30</u>	Letter request for docket sheet by Eric J. DePaola. clerk mailed docket sheet this date. (slt)
05/05/2015	<u>31</u>	Order to Respond: Any of the plaintiffs who does not wish to pursue his case, raising his individual claims challenging the constitutionality of the segregation classification policy, SHALL submit to the court, within ten days from entry of this order, a Motion for Voluntary Dismissal of his case without prejudice. Responses due by 5/20/2015. Signed by Judge James P. Jones on 5/5/2015. (slt)
07/07/2015	<u>32</u>	Order entered Directing the Clerk to attempt service of process upon the named defendants. Signed by Magistrate Judge Robert S. Ballou on 7/7/2015. (tvt)
07/07/2015	<u>33</u>	REQUEST FOR WAIVER of Service sent to Virginia Department of Corrections, et al on 7/7/2015. Waiver of Service due by 8/6/2015.(tvt)
08/04/2015	<u>34</u>	NOTICE of Appearance by John Michael Parsons on behalf of Harold Clarke, Gregory Holloway, Randall Mathena, David Robinson, Virginia Department of Corrections, G.K. Washington (Parsons, John)
08/04/2015	<u>35</u>	WAIVER OF SERVICE Returned Executed by David Robinson, G.K. Washington, Gregory Holloway, Randall Mathena, Virginia Department of Corrections, Harold Clarke. David Robinson waiver sent on 7/7/2015, answer due 9/8/2015; G.K. Washington waiver sent on 7/7/2015, answer due 9/8/2015; Gregory Holloway waiver sent on 7/7/2015, answer due 9/8/2015; Randall Mathena waiver sent on 7/7/2015, answer due 9/8/2015; Virginia Department of Corrections waiver sent on 7/7/2015, answer due 9/8/2015; Harold Clarke waiver sent on 7/7/2015, answer due 9/8/2015. (Attachments: # <u>1</u> List of Defendants)(Parsons, John)
08/12/2015	<u>36</u>	MOTION to Compel Service of Process by Eric J. DePaola.Motions referred to Judge Robert S. Ballou. (Attachments: # <u>1</u> Envelope)(slt)
09/09/2015	<u>37</u>	NOTICE of Appearance by Richard Carson Vorhis on behalf of Harold Clarke, Gregory Holloway, Randall Mathena, David Robinson, Virginia Department of Corrections, G.K. Washington (Vorhis, Richard)
09/09/2015	<u>38</u>	MOTION for Extension of Time to File Response/Reply by Harold Clarke, Gregory Holloway, Randall Mathena, David Robinson, Virginia Department of Corrections, G.K. Washington.Motions referred to Judge Robert S. Ballou. (Vorhis, Richard)
09/11/2015	<u>39</u>	ORDER denying <u>36</u> Motion to Compel; granting <u>38</u> Motion for Extension of Time to File Response/Reply. Signed by Magistrate Judge Robert S. Ballou on 9/11/2015. (tvt)
09/21/2015	<u>40</u>	INTERROGATORIES Propounded to Virginia Department of Corrections, et al by Eric J. DePaola. (Attachments: # <u>1</u> Envelope)(slt)
10/13/2015	<u>41</u>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Harold Clarke, Gregory Holloway, Randall Mathena, David Robinson, Virginia Department of Corrections, G.K. Washington. (Vorhis, Richard)
10/13/2015	<u>42</u>	Brief / Memorandum in Support re <u>41</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM . filed by Harold Clarke, Gregory Holloway, Randall Mathena, David Robinson, Virginia Department of Corrections, G.K. Washington. (Vorhis, Richard)
10/14/2015	<u>43</u>	Roseboro Notice and Notice to Parties of Right to Consent to Jurisdiction of United States Magistrate Judge re <u>41</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM Deadline set for 11/9/2015. (slt)

10/28/2015	<u>44</u>	MOTION for Protective Order by Harold Clarke, Gregory Holloway, Randall Mathena, David Robinson, Virginia Department of Corrections, G.K. Washington. Motions referred to Judge Robert S. Ballou. (Parsons, John)
10/29/2015	<u>45</u>	ORDER granting <u>44</u> Motion for Protective Order. Signed by Magistrate Judge Robert S. Ballou on 10/29/2015. (tvt)
11/13/2015	<u>46</u>	MOTION for Extension of Time to File Response/Reply as to <u>41</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Eric J. DePaola. Motions referred to Judge Robert S. Ballou. (Attachments: # <u>1</u> Envelope)(slt)
11/13/2015	<u>47</u>	Prisoner Miscellaneous Motion for extension of time to serve summons/process on stated defendants by Eric J. DePaola. Motions referred to Judge Robert S. Ballou. (slt)
11/13/2015	<u>48</u>	Objections by Plaintiff Eric J. DePaola re <u>45</u> Order on Motion for Protective Order (slt)
11/18/2015	<u>49</u>	ORDER granting <u>46</u> Motion for Extension of Time to File Response/Reply( Responses due by 12/18/2015); dismissing as moot <u>47</u> Motion to serve summonses on additional defendants; plaintiff's objections <u>48</u> to the protective order are OVERRULED. Signed by Magistrate Judge Robert S. Ballou on 11/18/2015. (tvt)
12/15/2015	<u>50</u>	Brief / Memorandum in Opposition re <u>41</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM . filed by Eric J. DePaola. (Attachments: # <u>1</u> Envelope)(slt)
12/15/2015	<u>51</u>	MOTION to Amend/Correct <u>1</u> Complaint by Eric J. DePaola. Motions referred to Judge Robert S. Ballou. (Attachments: # <u>1</u> <b>AMENDED COMPLAINT</b> )(slt)
01/11/2016	<u>52</u>	Motion to Supplement Memo in Opposition to Defendants Motion to Dismiss by Eric J. DePaola. (Attachments: # <u>1</u> Supplemental Memo in Opposition to Defendants Motion to Dismiss, # <u>2</u> Exhibit B – C)(tvt)
05/18/2016	<u>53</u>	ORDER denying <u>41</u> Motion to Dismiss for Failure to State a Claim; granting <u>51</u> Motion to Amend/Correct; denying <u>52</u> Prisoner Miscellaneous Motion; the defendants are DIRECTED to file any motion for summary judgment within 60 days from entry of this order. Signed by Judge James P. Jones on 5/18/2016. (tvt)
05/18/2016	<u>54</u>	<b>AMENDED COMPLAINT</b> against All Defendants, filed by Eric J. DePaola. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B and C)(tvt)
05/18/2016	<u>55</u>	REQUEST FOR WAIVER of Service sent to Virginia Department of Corrections, et al on 5/18/2016. Waiver of Service due by 6/17/2016.(tvt)
06/14/2016	<u>56</u>	NOTICE of Appearance by John Michael Parsons on behalf of G.A. Adams, Tony Adams, J. Artrip, G. Baker, Earl Barksdale, Brane, Keith Dawkins, Stacy Day, Joe Fannin, A. Gallihar, Christopher Gilbert, I. Hamilton, George Hinkle, R. Kegley, Jim Parks, Henry Ponton, T. Puryear, Tori Raiford, Scott Richeson, B.E. Stallard, Walter Swiney, K.A. Sykes, Malcolm Taylor, Elisabeth Thornton, Dwayne Turner, J. Walrath, Michael Younce (Parsons, John)
06/14/2016	<u>57</u>	WAIVER OF SERVICE Returned Executed by R. Kegley, Michael Younce, Christopher Gilbert, Earl Barksdale, Henry Ponton, A. Gallihar, Tori Raiford, J. Walrath, Joe Fannin, Stacy Day, T. Puryear, Dwayne Turner, Brane, Jim Parks, Malcolm Taylor, G. Baker, Walter Swiney, George Hinkle, Scott Richeson, K.A. Sykes, J. Artrip, I. Hamilton, B.E. Stallard, Keith Dawkins, Elisabeth Thornton, G.A. Adams, Tony Adams. R. Kegley waiver sent on 5/18/2016, answer due 7/18/2016; Michael Younce waiver sent on 5/18/2016, answer due 7/18/2016; Christopher Gilbert waiver sent on 5/18/2016, answer due 7/18/2016; Earl Barksdale waiver sent on 5/18/2016, answer due 7/18/2016; Henry Ponton waiver sent on 5/18/2016, answer due 7/18/2016; A. Gallihar waiver sent on 5/18/2016, answer due 7/18/2016; Tori Raiford waiver sent on 5/18/2016, answer due 7/18/2016; J. Walrath waiver sent on 5/18/2016, answer due 7/18/2016; Joe Fannin waiver sent on 5/18/2016, answer due 7/18/2016; Stacy Day waiver sent on 5/18/2016, answer due 7/18/2016; T. Puryear waiver sent on 5/18/2016, answer due 7/18/2016; Dwayne Turner waiver sent on 5/18/2016, answer due 7/18/2016; Brane waiver sent on 5/18/2016, answer due 7/18/2016; Jim Parks waiver sent on 5/18/2016, answer due 7/18/2016; Malcolm Taylor waiver sent on 5/18/2016, answer due 7/18/2016; G. Baker waiver sent on 5/18/2016, answer due 7/18/2016; Walter Swiney waiver sent on 5/18/2016, answer due 7/18/2016; George



		Hinkle waiver sent on 5/18/2016, answer due 7/18/2016; Scott Richeson waiver sent on 5/18/2016, answer due 7/18/2016; K.A. Sykes waiver sent on 5/18/2016, answer due 7/18/2016; J. Artrip waiver sent on 5/18/2016, answer due 7/18/2016; I. Hamilton waiver sent on 5/18/2016, answer due 7/18/2016; B.E. Stallard waiver sent on 5/18/2016, answer due 7/18/2016; Keith Dawkins waiver sent on 5/18/2016, answer due 7/18/2016; Elisabeth Thornton waiver sent on 5/18/2016, answer due 7/18/2016; G.A. Adams waiver sent on 5/18/2016, answer due 7/18/2016; Tony Adams waiver sent on 5/18/2016, answer due 7/18/2016. (Attachments: # <u>1</u> List of Defendants)(Parsons, John)
06/16/2016	<u>58</u>	Letter from the Office of the Attorney General of Virginia regarding the last known address of defendant Jackson (tvt) (Additional attachment(s) added on 6/16/2016: # <u>1</u> Last known address for defendant Jackson) (tvt).
06/16/2016	<u>59</u>	REQUEST FOR WAIVER of Service sent to defendant Jackson on 6/16/2016. Waiver of Service due by 7/18/2016.(tvt)
06/16/2016	<u>60</u>	Sealed Document– Green Certified Mail Card– sent to Dustin Jackson as address under seal as to Request for Waiver of Service of Summons (tvt)
06/22/2016	<u>61</u>	MOTION to Compel re <u>40</u> Interrogatories by Eric J. DePaola.Motions referred to Judge Robert S. Ballou. (Attachments: # <u>1</u> Envelope)(slt)
06/23/2016	<u>62</u>	Sealed Document–Green Certified Return Mail card RETURNED / SIGNED by D. Jackson on 6/21/2016 regarding Request of Waiver of Service. (slt)
06/30/2016	<u>63</u>	ORDER granting <u>61</u> Motion to Compel to the extent that defendants are DIRECTED to respond to the motion and the interrogatories within ten days from the entry of this order. Signed by Magistrate Judge Robert S. Ballou on 6/29/2016. (tvt)
07/08/2016	<u>64</u>	RESPONSE to Motion re <u>61</u> MOTION to Compel . filed by Harold Clarke, Randall Mathena, David Robinson, G.K. Washington. (Attachments: # <u>1</u> Exhibit I – Defendants' Response to Plaintiff's First Interrogatories)(Parsons, John)
07/11/2016	<u>65</u>	RESPONSE to Motion re <u>61</u> MOTION to Compel ( <i>Supplemental</i> ). filed by Harold Clarke, Randall Mathena, David Robinson, G.K. Washington. (Parsons, John)
07/14/2016	<u>66</u>	NOTICE of Appearance by John Michael Parsons on behalf of Jackson (Parsons, John)
07/14/2016	<u>67</u>	WAIVER OF SERVICE Returned Executed by Jackson. Jackson waiver sent on 6/16/2016, answer due 8/15/2016.(Parsons, John)
07/18/2016	<u>68</u>	MOTION for Extension of Time to File Response/Reply by G.A. Adams, Tony Adams, J. Artrip, G. Baker, Earl Barksdale, Brane, Harold Clarke, Keith Dawkins, Stacy Day, Joe Fannin, A. Gallihar, Christopher Gilbert, I. Hamilton, George Hinkle, Gregory Holloway, Jackson, R. Kegley, Randall Mathena, Jim Parks, Henry Ponton, T. Puryear, Tori Raiford, Scott Richeson, David Robinson, B.E. Stallard, Walter Swiney, K.A. Sykes, Malcolm Taylor, Elisabeth Thornton, Dwayne Turner, Virginia Department of Corrections, J. Walrath, G.K. Washington, Michael Younce.Motions referred to Judge Robert S. Ballou. (Parsons, John)
07/19/2016	<u>69</u>	ORDER granting <u>68</u> Motion for Extension of Time to File Response/Reply Responses due by 7/28/2016. Signed by Magistrate Judge Robert S. Ballou on 7/19/2016. (tvt)
07/28/2016	<u>70</u>	ANSWER to <u>54</u> Amended Complaint by G.A. Adams, Tony Adams, J. Artrip, G. Baker, Earl Barksdale, Brane, Harold Clarke, Keith Dawkins, Stacy Day, Joe Fannin, A. Gallihar, Christopher Gilbert, I. Hamilton, George Hinkle, Gregory Holloway, Jackson, R. Kegley, Randall Mathena, Jim Parks, Henry Ponton, T. Puryear, Tori Raiford, Scott Richeson, David Robinson, B.E. Stallard, Walter Swiney, K.A. Sykes, Malcolm Taylor, Elisabeth Thornton, Dwayne Turner, J. Walrath, G.K. Washington, Michael Younce.(Parsons, John)
07/28/2016	<u>71</u>	MOTION for Summary Judgment by G.A. Adams, Tony Adams, J. Artrip, G. Baker, Earl Barksdale, Brane, Harold Clarke, Keith Dawkins, Stacy Day, Joe Fannin, A. Gallihar, Christopher Gilbert, I. Hamilton, George Hinkle, Gregory Holloway, Jackson, R. Kegley, Randall Mathena, Jim Parks, Henry Ponton, T. Puryear, Tori Raiford, Scott Richeson, David Robinson, B.E. Stallard, Walter Swiney, K.A. Sykes,

		Malcolm Taylor, Elisabeth Thornton, Dwayne Turner, J. Walrath, G.K. Washington, Michael Younce. (Parsons, John)
07/28/2016	<u>72</u>	Brief / Memorandum in Support re <u>71</u> MOTION for Summary Judgment . filed by G.A. Adams, Tony Adams, J. Artrip, G. Baker, Earl Barksdale, Brane, Harold Clarke, Keith Dawkins, Stacy Day, Joe Fannin, A. Gallihar, Christopher Gilbert, I. Hamilton, George Hinkle, Gregory Holloway, Jackson, R. Kegley, Randall Mathena, Jim Parks, Henry Ponton, T. Puryear, Tori Raiford, Scott Richeson, David Robinson, B.E. Stallard, Walter Swiney, K.A. Sykes, Malcolm Taylor, Elisabeth Thornton, Dwayne Turner, J. Walrath, G.K. Washington, Michael Younce. (Attachments: # <u>1</u> Exhibit 1 – Affidavit of J. Artrip)(Parsons, John)
07/29/2016	<u>73</u>	Roseboro Notice and Notice to Parties of Right to Consent to Jurisdiction of United States Magistrate Judge re <u>71</u> MOTION for Summary Judgment as to Eric J. DePaola Deadline set for 8/22/2016. (tvt)
08/22/2016	<u>74</u>	RESPONSE in Opposition re <u>71</u> MOTION for Summary Judgment . filed by Eric J. DePaola. (Attachments: # <u>1</u> Declaration in Opposition of Defendants Motion for Summary Judgment, # <u>2</u> Exhibits D – W, # <u>3</u> Exhibits 1 – 25, # <u>4</u> Envelope)(tvt)
08/26/2016	<u>75</u>	SUGGESTION OF DEATH Upon the Record as to Elizabeth Thornton by G.A. Adams, Tony Adams, J. Artrip, G. Baker, Earl Barksdale, Brane, Harold Clarke, Keith Dawkins, Stacy Day, Joe Fannin, A. Gallihar, Christopher Gilbert, I. Hamilton, George Hinkle, Gregory Holloway, Jackson, R. Kegley, Randall Mathena, Jim Parks, Henry Ponton, T. Puryear, Tori Raiford, Scott Richeson, David Robinson, B.E. Stallard, Walter Swiney, K.A. Sykes, Malcolm Taylor, Elisabeth Thornton, Dwayne Turner, Virginia Department of Corrections, J. Walrath, G.K. Washington, Michael Younce (Parsons, John)
09/28/2016	<u>76</u>	OPINION & ORDER granting <u>71</u> Motion for Summary Judgment; It is also ORDERED that all claims against the Virginia Department of Corrections as a defendant are DISMISSED as legally frivolous. Signed by Judge James P. Jones on 9/27/2016. (tvt)
09/28/2016	<u>77</u>	JUDGMENT in favor of the defendants. The clerk shall close the case. Signed by Judge James P. Jones on 9/27/2016. (tvt)
10/06/2016	<u>78</u>	NOTICE OF APPEAL as to <u>77</u> Judgment, <u>76</u> Order on Motion for Summary Judgment by Eric J. DePaola. (tvt)
10/06/2016	<u>79</u>	Transmittal of Notice of Appeal to 4CCA re <u>78</u> Notice of Appeal NOTE: The Docketing Statement and Transcript Order Form are available on the 4th Circuit Court of Appeals website at <a href="http://www.ca4.uscourts.gov">www.ca4.uscourts.gov</a> . If CJA24 form(s) are applicable, you must submit a separate Auth–24 for each court reporter from whom you wish to order a transcript through the District Court's eVoucher system. (tvt)
10/06/2016		Assembled Electronic Record Transmitted to 4CCA re <u>78</u> Notice of Appeal (tvt)
10/06/2016	<u>80</u>	NOTICE of Docketing Record on Appeal from USCA re <u>78</u> Notice of Appeal filed by Eric J. DePaola. USCA Case Number 16–7358 case manager Anisha Walker(tvt)
10/25/2016	<u>81</u>	ORDER of USCA grant to proceed without full prepayment of fees as to <u>78</u> Notice of Appeal filed by Eric J. DePaola (tvt)
03/30/2017	<u>82</u>	USCA Notice of Order assigning counsel (slt)
11/22/2017	<u>83</u>	USCA Memorandum Opinion from 4th Circuit re <u>78</u> Notice of Appeal Affirmed decided on 11/22/2017 (tvt)
11/22/2017	<u>84</u>	USCA JUDGMENT as to <u>78</u> Notice of Appeal filed by Eric J. DePaola (tvt)
12/14/2017	<u>85</u>	MANDATE of USCA as to <u>78</u> Notice of Appeal filed by Eric J. DePaola (sas)
12/20/2017	86	PAID—USCA Appeal Fees received \$ 505 receipt number 7–54957 re <u>78</u> Notice of Appeal filed by Eric J. DePaola (slt)