

CLOSED

**U.S. District Court
Northern District of Georgia (Rome)
CIVIL DOCKET FOR CASE #: 4:86-cv-00297-HLM**

Luckey, et al v. Harris, et al
Assigned to: Judge Harold L. Murphy
Demand: \$0
Cause: 42:1983 Civil Rights Act

Date Filed: 10/24/1986
Date Terminated: 12/16/1991
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Horace Luckey, III

represented by **David A. Webster**
Sumner & Anderson
70 Fairlie Street
200 The Fairlie Building
Atlanta, GA 30303
404-588-9000
Email: dawebster_alas@yahoo.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Eric G. Kocher
Georgia Law Center for the Homeless
60 Walton Street, NW
Suite 300
Atlanta, GA 30303
404-681-0680
Email: ekocher@galawcenter.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Neil T. Bradley
American Civil Liberties Union
Foundation
Southern Regional Office
233 Peachtree Street
2725 Harris Tower
Atlanta, GA 30303-1504
404-523-2721
Email: nbradley@aclu.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert B. Remar
Rogers & Hardin
229 Peachtree Street, N.E.
2700 International Tower, Peachtree

Center
Atlanta, GA 30303-1601
404-522-4700
Email: rbr@rh-law.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

M. V. Booker

represented by **David A. Webster**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Eric G. Kocher
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Neil T. Bradley
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert B. Remar
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

William F. Braziel, Jr.

represented by **David A. Webster**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Eric G. Kocher
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Neil T. Bradley
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert B. Remar
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

G. Terry Jackson

represented by **David A. Webster**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Eric G. Kocher
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Neil T. Bradley
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert B. Remar
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Joseph Saia

represented by **David A. Webster**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Eric G. Kocher
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Neil T. Bradley
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert B. Remar
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Charles Thornton

*on their behalf and on behalf of all persons
similarly situated*

represented by **David A. Webster**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Eric G. Kocher
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Neil T. Bradley

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Robert B. Remar

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Plaintiff

Beverly Cannon

represented by **David A. Webster**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Eric G. Kocher

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Neil T. Bradley

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Robert B. Remar

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

V.

Defendant

Governor Joe Frank Harris

represented by **Alfred L. Evans, Jr.**

Office of State Attorney General

40 Capitol Square, S.W.

Atlanta, GA 30334-1300

404-656-3385

Email: al.evans@law.state.ga.us

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

Hon. Joe C. Crumbley

Chief Judge of Clayton Judicial Circuit

represented by **Alfred L. Evans, Jr.**

(See above for address)

LEAD ATTORNEY

*ATTORNEY TO BE NOTICED***Defendant****Hon. Robert J. Noland***Chief Judge of Douglas Judicial Circuit*represented by **Alfred L. Evans, Jr.**

(See above for address)

LEAD ATTORNEY*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
01/27/1988		Court of Appeals appeal by plaintiff [15-0] acknowledgement. USCA dkt no. 88-8047 (vv) (Entered: 12/03/1990)
02/04/1988		FORTHWITH LETTER from U.S.C.A. (vv) (Entered: 12/03/1990)
02/05/1988		Certified and TRANSMITTED RECORD to U.S. Court of Appeals appeal by plaintiff [15-0] . (vv) (Entered: 12/03/1990)
01/22/1990	17	Certified copy of JUDGMENT OF USCA REMANDED to the District Court for further action. judgment of this court. Court of Appeals appeal [15-0] (vv) (Entered: 01/22/1990)
01/22/1990		Case reopened. (vv) (Entered: 01/22/1990)
01/22/1990	18	ORDER making mandate the judgment of the U.S. District Court by Judge Harold L. Murphy . cc (dd) (Entered: 01/23/1990)
02/15/1990		Record on appeal returned from Court of Appeals appeal by plaintiff [15-0] . (vv) (Entered: 02/15/1990)
02/16/1990	19	Order from USCA that the appellees motion for recall and stay off issuance of mandate pending petition for writ of certiorari is denied. (ln) (Entered: 02/21/1990)
02/20/1990	20	REQUEST by counsel for plaintiffs for clerk to enter default as to Joe Frank Harris, Joe C. Crumbley, Robert J. Noland . (advised by law clerk Phil Savrin that Judge Murphy said time was to run from time of motion for stay was denied) (ln) (Entered: 02/21/1990)
02/22/1990	21	MOTION by defendant Joe Frank Harris, defendant Joe C. Crumbley, defendant Robert J. Noland to stay proceedings with brief in support pending disposition of petition for writ of certiorari to the Supreme Court. (dd) (Entered: 03/06/1990)
03/07/1990	22	PLAINTIFFS' RESPONSE to motion to stay proceedings by Robert J. Noland, Joe C. Crumbley, Joe Frank Harris [21-1] (dd) (Entered: 03/07/1990)
03/14/1990		SUBMITTED to Judge Harold L. Murphy on motion to stay proceedings by Robert J. Noland, Joe C. Crumbley, Joe Frank Harris [21-1], motion response [22-1] (dd) (Entered: 03/14/1990)
03/21/1990	23	ORDER DENYING motion to stay proceedings by Robert J. Noland, Joe C. Crumbley, Joe Frank Harris [21-1] by Judge Harold L. Murphy; cc (dd) (Entered: 03/21/1990)

06/06/1990	24	Defendants' reassertion of pending motions to dismiss on non-justiciability/abstention grounds. (dd) (Entered: 06/06/1990)
06/06/1990	25	Copy of order from U.S. Supreme Court denying certiorari. (vv) (Entered: 06/06/1990)
06/26/1990	26	RESPONSE by plaintiffs Horace Luckey III, M. V. Booker, William F. Braziel Jr., G. Terry Jackson, Joseph Saia, Charles Thornton & Beverly Cannon to [24-1] defendants' purported reassertion of pending motions to dismiss. (ln) (Entered: 06/26/1990)
06/26/1990		SUBMITTED to Judge Harold L. Murphy on [24-1], response by plaintiff [26-1] (ln) (Entered: 06/26/1990)
07/06/1990	27	Defendants' reply to plaintiffs' response in opposition to defendants' reassertion of pending motions to dismiss on non-justiciability/abstention grounds (dd) (Entered: 07/06/1990)
07/10/1990	28	ORDER DENYING defendants renewed motion to dismiss[24-1] that the proceedings in this Court shall NOT BE STAYED, but SHALL CONTINUE during the pendency of any appeal permitted by the Court of Appeals by Judge Harold L. Murphy cc (ln) Modified on 11/19/1990 (Entered: 07/10/1990)
07/11/1990	29	Plaintiffs' supplemental RESPONSE to reply brief [27-1] (dd) (Entered: 07/11/1990)
07/17/1990		Letter from the Court to atty Alfred L. Evans, Jr. excusing him from personal appearance before the Court for the period Aug. 6-20, 1990. (vv) (Entered: 07/18/1990)
07/20/1990	30	ANSWERS to amended complaint by Robert J. Noland, Joe C. Crumbley, Joe Frank Harris . (dd) (Entered: 07/20/1990)
10/30/1990	31	PLAINTIFFS' MOTION to amend complaint [1-0] with brief support. (dd) Modified on 10/30/1990 (Entered: 10/30/1990)
10/30/1990	32	PLAINTIFFS' MOTION for preliminary injunction with brief and exhibits in support. (dd) Modified on 10/30/1990 (Entered: 10/30/1990)
11/05/1990	33	ORDER setting hearing on motion for preliminary injunction [32-1] and on motion to amend complaint [1-0] [31-1] for 10:00 AM 11/19/90 by Judge Harold L. Murphy cc (ln) (Entered: 11/05/1990)
11/14/1990	34	BRIEF by Joe Frank Harris, Joe C. Crumbley, Robert J. Noland in opposition to motion to amend complaint [1-0] [31-1], motion for preliminary injunction [32-1] . (ln) (Entered: 11/14/1990)
11/14/1990		SUBMITTED to Judge Harold L. Murphy on motion to amend complaint [1-0] [31-1], motion for preliminary injunction [32-1], opposing motion by Robert J. Noland, Joe C. Crumbley, Joe Frank Harris [34-1] (ln) (Entered: 11/14/1990)
11/16/1990	35	CONSENT ORDER extending discovery to 4/19/91 Discovery ends 4/19/91 by Judge Harold L. Murphy ; cc. (dd) (Entered: 11/16/1990)
11/16/1990		acknowledgement. USCA dkt no. 90-9062 (vv) (Entered: 12/20/1990)

11/19/1990	36	Affidavits of plaintiff submitted in support of their motion for preliminary injunction. (ln) (Entered: 11/19/1990)
11/20/1990	37	SUPPLEMENTAL BRIEF in support of motion for preliminary injunction [32-1] (dd) (Entered: 11/20/1990)
11/26/1990	38	Affidavit of G. Scott Sampson. (ln) (Entered: 11/26/1990)
11/30/1990		USCA appeal fees received \$ 105.00 (vv) (Entered: 12/03/1990)
12/06/1990	39	Copy of ORDER of the U.S. Court of Appeals granting appellants permission to appeal and STAYING ALL PROCEEDINGS IN THE DISTRICT COURT PENDING RESOLUTION OF THIS APPEAL. (This order was filed in the Court of Appeals on Nov. 16, 1990, but a copy was not rec'd by the Clerk, USDC until 12/6/90. (vv) (Entered: 12/06/1990)
12/06/1990		Letter from USCA requesting Certificate of Readiness. (vv) (Entered: 12/06/1990)
12/06/1990	40	Certificate of Readiness forwarded to USCA. (vv) (Entered: 12/06/1990)
12/21/1990		Certified and TRANSMITTED RECORD to U.S. Court of Appeals appeal by plaintiff [15-0] . (This record forwarded USCA per telephone request by Dwight Briggs, Deputy Clerk, USCA) (vv) (Entered: 12/21/1990)
07/02/1991		Letter from the Court to atty Alfred Evans, Jr. excusing him from personal appearance before the Court for the periods Aug. 5-9 and Aug. 19-23, 1991. (vv) (Entered: 07/08/1991)
08/09/1991	41	PLAINTIFFS' SUPPLEMENTAL BRIEF in opposition to defendants' motion to dismiss(which has not been filed yet) (dd) (Entered: 08/09/1991)
08/30/1991	42	Certified copy of JUDGMENT OF USCA VACATING THE ORDER OF THE DISTRICT COURT and REMANDING the case to the District Court for further action. judgment of this court. Court of Appeals appeal [15-0]; c.c. (vv) Modified on 09/06/1991 (Entered: 09/04/1991)
09/03/1991	43	RENEWAL of defendants' MOTION to dismiss on remand with brief in support. (dd) Modified on 09/06/1991 (Entered: 09/04/1991)
09/03/1991		Record on appeal returned from USCA. (vv) (Entered: 09/04/1991)
09/05/1991	44	ORDER making mandate the judgment of the District Court by Judge Harold L. Murphy; c.c. (vv) (Entered: 09/06/1991)
09/18/1991		SUBMITTED on motion for preliminary injunction [32-1], motion to amend complaint [1-0] [31-1] to Judge Harold L. Murphy . (ln) (Entered: 09/18/1991)
09/23/1991		SUBMITTED on motion to dismiss on remand [43-1] to Judge Harold L. Murphy . (dd) (Entered: 09/23/1991)
12/16/1991	44	ORDER GRANTING motion to dismiss on remand [43-1] by Judge Harold L. Murphy cc (dd) Modified on 01/14/1992 (Entered: 12/16/1991)
12/16/1991	45	JUDGMENT ENTERED on for defendants Robert J. Noland, Joe C. Crumbley & Joe Frank Harris against plaintiffs Horace Luckey III, M. V. Booker, William F. Braziel Jr., G. Terry Jackson, Joseph Saia, Charles Thornton, & Beverly Cannon

		cc (dd) Modified on 01/14/1992 (Entered: 12/16/1991)
01/14/1992	46	NOTICE OF APPEAL from order [44-1], judgment [45-1] by plaintiff Horace Luckey III, plaintiff M. V. Booker, plaintiff William F. Braziel Jr., plaintiff G. Terry Jackson, plaintiff Joseph Saia, plaintiff Charles Thornton, plaintiff Beverly Cannon . FILING FEE \$ 105.00 RECEIPT # 159589 (vv) (Entered: 01/14/1992)
01/14/1992		Certified copy of Notice of appeal by plaintiffs, Order and Judgment entered December 16, 1991, and certified copy of docket to U.S. Court of Appeals for Court of Appeals appeal [46-1] . (vv) (Entered: 01/14/1992)
01/15/1992		Acknowledgment by Court of Appeals regarding Court of Appeals appeal by plaintiff [46-1] . USCA dkt no. 92-8038 (vv) (Entered: 01/21/1992)
01/27/1992		Letter rec'd from USCA requesting Certificate of Readiness. (vv) (Entered: 01/29/1992)
01/29/1992		CERTIFICATE OF READINESS OF RECORD ON APPEAL with certified copy of docket mailed to USCA . (vv) (Entered: 01/29/1992)
05/08/1992		FORTHWITH LETTER from U.S. Court of Appeals regarding Court of Appeals appeal by plaintiff [46-1] (vv) Modified on 05/14/1992 (Entered: 05/14/1992)
05/14/1992		Certified and TRANSMITTED RECORD to U.S. Court of Appeals appeal by plaintiff [46-1] . (vv) (Entered: 05/14/1992)
01/26/1993	47	Certified copy of JUDGMENT & OPINION OF USCA AFFIRMING judgment of this court. Court of Appeals appeal [46-1]; copy Judgment to cnsl. (vv) (Entered: 01/26/1993)
01/26/1993		Record on appeal returned from USCA. (vv) (Entered: 01/26/1993)

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