

DIST.	OFF.	YR.	NUMBER	FILED DATE	J	N/S	O	V	28	\$ DEMAND	SUBJECT	COUNTY	DEPT. DEM.	SECRET
0537	1	83	0293	07 01 83	3	440	4			Nearest \$1,000	J 3705 M 37AG	28105		83-293-LS

PLAINTIFFS

DEFENDANTS

MONTGOMERY, HORACE WILLIE,
 ROBINSON, KATHRY & CHRISTINE,
 by parent & next friend, Stacy Robinson;
 NASH, VALEEKA &
 MCDOWELL, MARC,
 by parent & next friend, Laddie Nash;
 BOYD, TOMINA SHANEE,
 by parent & next friend, Queenie Boyd;
 RIEVES, LATISH &
~~RODGERS, LEE MARK,~~
~~by parent & next friend, Lena J. Rieves;~~
 LOGAN, ARTHUR,
 by parent & next friend, Lois Logan;
 ZUBER, CICELY,
 by parent & next friend, Gussie Zuber;
 WILLIAMS, ANTHONY,
~~by parent & next friend, Sabrina Williams;~~
 BROOKS, DARLENE M.,
~~by parent & next friend, John Edward Brooks~~

STARKVILLE MUNICIPAL SEPARATE
 SCHOOL DISTRICT

CA 87-4478

CAUSE
 (CITE THE U.S. CIVIL STATUTE UNDER WHICH THE CASE
 IS FILED AND WRITE A BRIEF STATEMENT OF CAUSE)

CASE REOPENED (Formerly Case # 69-37(A)) 28 USC 1343. Pltfs charge deft with
 contempt of Court for failure to comply with Desegregation Order of 2/5/70.

ATTORNEYS

~~North Ms Rural Legal Services
 P. O. Box 277
 West Point, MS 39773
 494-6122~~

~~McKee & McDowell
 P. O. Box 550
 Starkville, MS 39759~~

~~Beverley Mitchell *Mitchell*
 COLOM, MITCHELL & COLOM--
 406 Third Avenue North P. O. Box 524
 Columbus, MS 39701-3996
 327-0903 328-1101~~

~~Tubb & Stevens
 P. O. Box 342
 West Point, MS 39773
 494-2611~~

~~Wilbur Colom
 COLOM & COLOM
 406 3rd Ave. N. P.O. Box 101
 Columbus, MS 39701
 (327-0903)~~

~~*J. Kellon*
 McAlpin, ~~Quarles~~ Quarles
 P. O. Box 867
 Starkville, MS 39759
 323-9743~~

Wilbur O. Colom
 P. O. Box 866
 Columbus, MS 39703-0866

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
	6/26/87	16405 - \$105 (Appeal)		JS-5	
	3/30/89	21156 - \$105 (appeal)		JS-6	
4/11/89	21175 - \$100 (cross-appeal)				

DATE	NR.	MONTGOMERY, et al vs. STARKVILLE PROSCHOOL Issue Joined: 7/15/83	NO. EC 83-293-LS-P PTC 1/4/85
		THIS CASE FORMERLY CARRIED CASE # 69-37(A) ALL PLEADINGS HAVE BEEN TRANSFERRED TO THIS CASE. NOTICE GIVING NEW NUMBER HAS BEEN SENT TO ALL COUNSEL.	
	VOLUME III		
7/1/83		APPLICATION	of Intervenor FOR SUPPLEMENTAL RELIEF OR IN THE ALTERNATIVE TO FIND DEFTS IN CONTEMPT.
7/11/83		REPORT	Semi-annual of School (July 1983)
7/13/83		MOTION ORDER	of defts FOR EXTENSION OF TIME to plead. (CMP-7/13/83) GRANTING deft to 7/20/83 to resj to Application of intervenors.
7/14/83		ANSWER	of defts to Appication for Supplemental Relie
7/20/83		LETTER	from Firm of Tubb, Stevens & Morrison that they are no longer associated with this case.
9/14/83		MOTION	of Defts for RELIEF FROM CLERICAL ERROR, ETC.
9/20/83		MOTION ORDER	of pltf-intervenor FOR TIME TO FILE MEMO. (CMP-9/20/83) GRANTING Pltf-intervenor 20 days to file reply memo.
10/11/83		REPLY	of plts to defts' MO for Relief from Clerical Error, etc.
10/13/83		MOTION & NOTICE	of defts TO COMPEL DISC.
11/2/83		ORDER	(CMP-11/2/83) DEEMING Exhibits A-S attached to Defts' Rule 60(a) MO as filed in months for which dated.
11/8/83		ORDER	(CMP-11/8/83) that intervening pltfs serve w/ daYS answers to interr and requested documen
12/1/83		ANSWER/OBJECTIONS	of Pltf-Interven to Defts' 1st INTERROGS.
4/3/84		ORDER/DISC	Stipulation due 4/17/84
4/10/84		MOTION	OF DEFTS FOR ORDER COMPELLING DISC.
4/18/84		SEMI-ANNUAL REPORT (12-83)	of defts.
5/8/84		SEMI ANNUAL REPORT, 4/1984,	of defts.
6/28/84		MOTION/NOTICE (D)	for PROTECTIVE ORDER re Interrogs
7/12/84		MOTION (P-I) ORDER (JAD-7/12/84)	for ADD'L TIME to file memo in response to defts' Mo for Protective Order. Granting Pltf-Intervenor 20 days to respond to Mo for Protective Order.
8/7/84		NOTICE	NJT 1/28/85, 9, Aberdeen.
8/10/84		MOTION (D)	for SUBSTITUTION of parties
8/22/84		NOTICE, (PTC)	1/4/85, 10 a.m., ABERDEEN.
8/30/84		MOTION/NOTICE (D)	for PROTECTIVE ORDER re INTERROGS
0/4/84		NOTICE	HEARING ON MO & DISC CONF 10/12/84, 10:30 am Aberdeen, before Mag. Davis.

CIVIL DOCKET CONTINUATION SHEET

EC83-293-LS-D

PLAINTIFF		DEFENDANT		DOCKET NO. _____
MONTGOMERY et al		STARKVILLE SCHOOL et al		PAGE <u>2</u> OF _____ PAGES
DATE	NR.	IJ: 7/15/83	PTC: 1/14/85 PROCEEDINGS	<i>7/15/85</i>
10/4/84		ORDER (JAD)	SUBSTITUTING Dr Robert J Garvue for Dr Nolan Vickers and Paul Green Millsaps for Dr Roy Ruby as pty Defts	
10/10/84		NOTICE	HEARING on Mo & Disc Conference before Mag. Davis reset 10/17/84, 10:30 a.m., ABERDEEN.	
10/17/84		ORDER (JAD)	DISMISSING Defts' MO to COMPEL	
11/7/84		SEMI-ANNUAL REPORT (D)	12/84	
11/28/84		MOTION/NOTICE (D)	for SJ	
12/10/84		MOTION (P)	FOR ADD'L Time to file memo in respond to mo for Summary Judgment.	
12/12/84		ORDER (LTS-12/11/84)	GRANTING pltfs mo for add'l 25 days to RESPOND to def for SJ.	
12/13/84		MOTION/NOTICE (D)	for INVOLUNTARY DISMISSAL of pltfs Sabrina Williams, Lena J. Rieves and John Edward Brooks.	
		RESPONSE (D)	to pltf's Mo for add'l time to file Memo.	
12/13/84		ORDER (JAD-12/12/84)	re defts' Mo for Protective Order.	
12/17/84		MOTION (D)	for CONTINUANCE.	
12/19/84		ORDER (LTS-12/19/84)	GRANTING mo for involuntary dismissal of pltfs Williams, Rieves adnd Brooks and DISMISSING Sabrinaa Lena J. Rieves and John Edward Brooks from action w/prejudice.	
12/20/84		ORDER (JAD)	RESETTING PTC 1/10/85, 10 a.m., Aberdeen.	
1/7/85		NOTICE (PTC)	RESET for 1/14/85, 3:00 p.m., ABERDEEN.	
1/14/85		MOTION (Ps) MOTION (Ps)	for part. SJ. for CONTINUANCE.	
		RESPONSE (D)	to Pltf-Interveners' Motion for Continuance.	
		MOTION (D)	for Order on Discovery.	
1/15/85		MINUTES/TAPES	PTC held 1/14/85-PTO due 1/24/85; <u>Estimated length of trial: 3 days</u>	
1/17/85		RESPONSE (Ps)	to defts' opposition to mo for continuance.	
1/18/85		ORDER (LTS)	DENYING Defts' MO for SJ; DENYING Pltf-Inte MO for PARTIAL SJ	
1-23-85		ORDER (LTS)	CONTINUING trial set for 1-28-85	

X X X

CIVIL DOCKET CONTINUATION SHEET

No. EC 83-293-LS-D

PLAINTIFF		DEFENDANT		DOCKET NO. _____
MONTGOMERY		STARKVILLE SCHOOL		PAGE ____ OF ____ PAGES
DATE	NR.	TRIAL	PROCEEDINGS	
2/25/85		MOTION (P-Intervenors)	to REOPEN DISC.	
3/11/85		MOTION (D)	for SUBSTITUTION OF PRYS.	
3/12/85		ORDER (JAD-3/11/85)	GRANTING defts through 3/15 to RESPOND to Mo to Reopen Disc.	
3/27/85		ORDER (JAD-3/27/85)	DENYING MOTION to reopen Discovery.	
4/8/85		ORDER (LTS-4/5/85)	GRANTING Defts' MO to SUBSTITUTE Victor Evans as Deft in cap as member of Bd of Trustees; DISMISSING Deft William Ashford	
4/10/85		MOTION (D)	for Sanctions.	
4/11/85		ORDER (JAD-4/11/85)	DENYING pltf's Mo for reconsideration of Mo to Reopen Disc.	
4/16/85		NOTICE	NJT 7/17/85, 9, Aberdeen.	
4/17/85		PRE-TRIAL ORDER (LTS-4/16/85)	Estimated lenth of trial: 3 days.	
5/30/85		SEMI-ANNUAL REPORT	MAY, 1985.	
6/14/85		MOTION (Pltf-Intervenors)	to AMEND PTO.	
7/2/85		RESPONSE (D)	to Mo to Amend PTO.	
7/9/85	✓	MOTION/NOTICE (D)	IN LIMINE.	
7/11/85	✓	MOTION (D)	for Substitution of Prtys.	
7/15/85		MINUTES (7/15/85)	of settlement conf; mo of plff to amend PTO granted; mo on all other pending mos carried with trial.	
7/17/85		MINUTES	NJT CONTINUED on date of trial to allow parties to obtain approval of proposed settlement.	
7/29/85		NOTICE	NJT reset 8/21/85, 10, Oxford.	
7/30/85		MOTION/NOTICE (Ds)	for order granting authority for alternative education program.	
8/7/85		ORDER (LTS-8/6/85)	AMENDING PTO to replace name of Dorothy Colom w/that of Wilbur Colom as atty for pltf-interven	

CIVIL DOCKET CONTINUATION SHEET EC 83-293-LS

PLAINTIFF		DEFENDANT		DOCKET NO. _____
MONTGOMERY		STARKVILLE MUN. SEP. SCHOOL DIST.		PAGE ____ OF ____ PAGE
DATE	NR.	PROCEEDINGS		
		<i>Trial 9/29/86</i>		
8/14/85		NOTICE	CONTINUING NJT; SETTING hearing on mo of deft to approve alt. program 8/21/85, 10, Oxford.	
8/21/85		RESPONSE (P)	to defts' Mo for Authorization to operate an alternative education program, etc.	
8/22/85		MINUTES	of HEARING 8/21/85 ON MOTION OF DEFTS FOR GRANTING AUTHORITY FOR ALTERNATIVE EDUCATION PROGRAM. (Moody-reporter) Mo Granted. Ord to be entered. Witness & Exhibit Lists attached. Exhibit envelope in jacket file)	
8/23/85		ORDER (LTS)	GRANTING leave to defts to operate a Magnet School.	
8/28/85		NOTICE	NJT 1/6/86, 9, Aberdeen.	
9/4/85		NOTICE	NJT reset 1/27/86, 9, Aberdeen.	
12/27/85		SEMI ANNUAL REPORT (D)	12/1985.	
1/27/86		NOTICE	CONTINUING NJT previously set for 1/27/86 until further order.	
1/29/86		NOTICE	NJT reset 4/14/86, 9, Aberdeen.	
4/11/86		NOTICE	NJT set for 4/14/86 CONTINUED UNTIL FURTHER ORDER	
4/18/86		SEMI-ANNUAL REPORT (D)	April 1986	
5/6/86		NOTICE	NJT 7/24/86, 9, Aberdeen.	
5/14/86		NOTICE	NJT 8/11/86, 9, Aberdeen.	
6/13/86		NOTICE	NJT 9/29/86, 9, Aberdeen.	
6/20/86		MOTION/NOTICE (D)	for Final Pretrial Conf and reopening case for filing PTM	
7/7/86		MOTION/NOTICE (D)	for DEFINITE SETTING	
8/4/86		ORDER (LTS-8/4/86)	DENYING defts' mo for definite setting	
8/20/86		NOTICE	FINAL PTC,S/S CONF. 8/27/86, 1:30, Aberdeen	
8/27/86		MOTION/NOTICE (D)	for authority to MODIFY ATTENDANCE CENTER ASSIGNMENTS	
		MINUTES	PTC & SETT. CONF HELD before Judge Senter Aberdeen: PTO amended for defts to list add. exhs. Trial set 9/29/86.	

DC 111A
(Rev. 1/75)

CIVIL DOCKET CONTINUATION SHEET

EC83-293-S-D

PLAINTIFF		DEFENDANT		DOCKET NO. _____
MONTGOMERY		STARKVILLE MSSD et al		PAGE ___ OF ___ PAGES
DATE	NR.	PROCEEDINGS		
9/4/86		AFFIDAVIT	of DAVID DERUZZO (Superintendent) in support of MO to MODIFY ATTENDANCE CENTER ASSIGNMENTS	
9/9/86		AGREED ORDER (LTS)	GRANTING Deft Authority to Modify Attendance Center Assignments	
9/10/86		AGREED ORDER (LTS-9/10/86)	Requiring School District to file one Annual Report per year	
10/1/86		MINUTES	of NJT held 9/29-30/86 before Judge Senter in Aberdeen: Briefs due in 15 days by plff, 15 days thereafter by deft, 5 days rebuttal; CAUSE TAKEN UNDER ADVISEMENT.	
10/29/86		PROPOSED FINDINGS OF FACT & CONCLUSIONS OF LAW	(P - I)	
11/14/86		ORDER (LTS-11/13/86)	GRANTING Defts to 11/21/86 to file Proposed Findings of Fact/Conclusions of Law	
06/08/87		MEMORANDUM OPINION ORDER	(06/06/87-LTS) JUDG for defts on all claims considered herein with the exception of the discrimination claim involving the PEAK program. Defts are ordered to revise the entrance requirements for the PEAK program in consultation with the MS Dept of Educ and the Biracial Advisory Committee so as to provide additional minority eligibility. This plan shall be submitted to the court for approval with pltfs being afforded an opportunity to present any objs thereto. COB#44, p. 30. Notice mailed. DKTS 06/08/87 JS6	
6/18/87		MOTION/NOTICE (D)	for PARTIAL RELIEF FROM JUDGMENT AND FOR CLARIFICATION OF JUDGMENT	
6/24/87		NOTICE OF APPEAL (P)	to U. S. Court of Appeals of Order of 6/6/87 cc 5th Circuit & all counsel	
7/1/87		NOTICE TO COURT REPORTER RESPONSE	Pltf's atty mailed form for ordering transcript - advised of \$105. filing fee by pltf TO MOTION FOR RELIEF FROM JUDGMENT	
7/9/87		MOTION (D)	for ORDER GRANTING AUTHORITY TO IMPLEMENT REMEDIATION PLAN	

X

X

X

DC 111A
(Rev. 1/75)

CIVIL DOCKET CONTINUATION SHEET

NO. EC 83-293-S-D

PLAINTIFF		DEFENDANT		DOCKET NO. _____
MONTGOMERY		STARKVILLE MSSD, et al.		PAGE ___ OF ___ PAGES
DATE	NR.	PROCEEDINGS		
7/9/87		ORDER (LTS 7/9/87)	students already enrolled in PEAK continue in same and unaffected by 6/6/87 ruling; testing and selection of PEAK students are to continue for 1987-1988; officials shall suspend testing and selection of PEAK students for 1988-1989; officials shall submit plan to court by 12/15/87 re PEAK testing and selection, COB 44, pgs. 63 64. NM	
7/13/87		TRANSCRIPT	Non-Jury Trial September 29, 30, 1986 before Chief Judge L. T. Senter, Jr.	
7/13/87		Mailed record to Court of Appeals consisting of three Volumes of the record, 1 Volume of transcript and 1 container of exhibits		
8/25/87		ORDER (LTS 8/24/87)	GRANTING AUTHORITY TO IMPLEMENT REMEDIATION PLAN.	
12/10/87		MOTION/NOTICE (Ds)	for approval of ent. of PEAK program.	
12/22/87		ANNUAL REPORT (D)		
1/6/88		ORDER (LTS-12/18/87)	re entrance requirements for Starkville PEAK program	
2/10/88		MOTION/NOTICE (D-Starkville School Dist.)	Rule 60 Motion for Rel. from Order and for Entry of Agreed Amended Order	
2/11/88		AMENDED ORDER (LTS-2/10/88)	in re: revised entrance requirements for the PEAK program	
3/15/88		ORDER (JAD)	GRANTING pltf's-intervenors to 3/31/88 file for fees, expenses & costs	
4/1/88		MOTION (P)	Application for the Award of Atty's Fees and Expenses	
4/6/88		ORDER (LTS)	Defts' RESPONSE TO Mo for Award of Atty Fee & EXPENSES due 4/25/88	
4/21/88		ORDER (LTS)	Time period for defts response to application for award of attys fees an expenses is extended to 5/16/88	
5/16/88		RESPONSE (D-Stark School Dist)	to Application for Award of Attorneys Fees and Expenses	

DC 111A
(Rev. 1/75)

CIVIL DOCKET CONTINUATION SHEET

No. EC 83-293-S-D

PLAINTIFF		DEFENDANT		DOCKET NO. _____
MONTGOMERY		STARKVILLE SCHOOL		PAGE ____ OF ____ PAGE:
DATE	NR.	PROCEEDINGS		
5/27/88		ORDER (LTS)	GRANTING pltfs til 6/6/88 to reply in attys' fee application	
6/6/88		REPLY (P)	in APPLICATION FOR AWARD OF ATTY FEES & EXPENS with AFFIDAVITS of Harold E. Dent, Jeff Smith, Howard Gunn, Randolph Walker, Bennie Turner & Wilbur O. Colom in support attached	
8/5/88		ANNUAL REPORT	7/30/88.	
9/6/88		MOTION/NOTICE (D-Starkville School)	for Modification or Order Regarding School Facilities	
10/11/88		JUDGMENT (USCA)	the judgment of the District court in this cause is Affirmed, the pltfs-appellants are to pay to the deft-appellee the costs on appeal to be taxed by the Clerk of the USCA	
2/22/89		ORDER (LTS)	Authorizing Modification of Facilities Use the prior facilities use orders in this cause are amended retrospectively to 8/24/88, to allow one first grade class to be taught in the Sudduth Elementary School	
3/10/89		OPINION-ATTORNEY'S FEES (LTS)		
		ORDER (LTS)	AWARDING ATTORNEY'S FEES and EXPENSES: Wilbur O. Colom-\$6,700; Beverley Mitchell Franklin-\$16,837.50; Pltfs to recover expert fees/expenses \$8,707.17 for total award of \$32,244.67	
3/27/89		AMENDED ORDER-ATTY'S FEES (LTS)	Wilbur O. Colom-\$10,300; Beverley Mitchell Franklin-\$16,837.50; Pltf recover expert fees/expenses in sum of \$8,707.17 for total award of \$35,844.67	
3/30/89		NOTICE (D)	of APPEAL from order awarding attys' fees and expenses ent. 3/10/89 and am. order 3/27/89. docket sheet and CC of notice mld. to USCA.	
		RECORD ON APPEAL	mailed to USCA, certified copy of docket sheet and copy of letter to attys	
3/31/89		MOTION/MOTION (D-SSD)	for Stay Pending Appeal	
4/11/89		NOTICE (Ps-Intv)	OF CROSS APPEAL. cert copies to USCA & attys.	
7/11/89		ANNUAL REPORT (D)		
8/7/89		CERTIFIED COPY	ENTRY OF DISMISSAL on joint mo of ptys 8/4/89 (file to be returned later)	
8/16/89		VOLUMES 1-5/ 1 env	exhibits rec'd from USCA (vol 6 to be ret'd late	

DC 111A
(Rev. 1/75)

CIVIL DOCKET CONTINUATION SHEET

EC 83-293-S-D

PLAINTIFF		DEFENDANT		DOCKET NO. _____
HORACE WILLIE MONTGOMERY, et al		STARKVILLE SCHOOL DISTRICT		PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS		
6/26/90		ANNUAL REPORT (D)	6/30/90	
7/28/92		REPORT TO COURT ON PEAK PROGRAM MOTION (D)	to modify order on PEAK Program	
8/14/92		ORDER	(LTS-8/13/92) amending 2/10/88 order and authorizing Stkvl SD to implement Gifted Program Regulations instead and in place of referral program for PEAK set out in 2/10/88 order	
3/28/95		MOTION (D)	to modify order	
5/16/95		ORDER (LTS)	granting motion to modify order	
10/18/95		MOTION (D)	to modify order on PEAK Program	
10/30/95		MOTION TO WITHDRAW (Colom) ORDER	as attorney of record for plaintiffs granting motion to withdraw; plaintiffs have twenty days to retain attorney or advise court they will proceed pro se (LTS 10/30/95)	
11/22/95		ORDER (LTS)	the prior orders of this Court are amended and modified to allow the Starkville School Dist to implement the State Dept of Education guidelines for screening for the program for academically gifted students	
2/11/03		ANNUAL REPORT (D)	7/31/91	
		ANNUAL REPORT (D)	7/31/92	
		ANNUAL REPORT (D)	7/31/93	
		ANNUAL REPORT (D)	7/31/00	
		ANNUAL REPORT (D)	7/31/01	
		ANNUAL REPORT (D)	7/31/02	
		ANNUAL REPORT (D)	7/31/94	
		ANNUAL REPORT (D)	7/31/95	
		ANNUAL REPORT (D)	7/31/96	
		ANNUAL REPORT (D)	7/31/97	
		ANNUAL REPORT (D)	7/31/98	
		ANNUAL REPORT (D)	7/31/99	
2/19/04		ANNUAL REPORT (D)	6/30/03	
7/14/05		ANNUAL REPORT (D)	7/14/05	
8/29/2006		ANNUAL REPORT (D)	6/30/2006	
6/29/07		ANNUAL REPORT (D)	6/30/07	
11/13/07		NOTICE MOTION (dft) MEMORANDUM (dft)	reassigning Case to Chief Judge Michael P. Mills to modify desegregation orders in support of motion to modify desegregation ord	
12/26/7		ORDER (AGREED) modifying desegregation orders, signed by Judge Mills 12/19/7		
			6/30/0	

DC 111A
(Rev. 1/75)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. _____ PAGE ____ OF ____ PAGE
-----------	-----------	--

DATE	NR.	PROCEEDINGS
------	-----	-------------

6/30/08		ANNUAL REPORT (D)
8/6/2009		ANNUAL REPORT (D)
7/23/10		ANNURAL REPORT (D)

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

Mag. Powers

D. C. Form No. 106A Rev.

TITLE OF CASE

ATTORNEYS

WALTER LARRY BELL, by MRS. WALTER BELL,
ET AL

vs.

STARKVILLE MUNICIPAL SEPARATE SCHOOL
DISTRICT, ET AL

Oktibbeha County School District, et al

Withdrawn 2-27-10

For plaintiff: (North Mississippi Rural Legal Services)
~~Kent Spriggs~~
~~John L. Maxey -11~~ 397
 Thomas Mayfield, 206 E. Jordan, West P.
 Thomas Royals → John Brittain *
 108 1/2 South Lamar *
 Oxford, Mississippi 38655

 Thomas Mayfield, Jon Thames
 206 W. Jordan Ave.,
 West Point, Miss.

 Leon Johnson
 P. O. Box 277
 West Point, MS 39773

For defendant:
~~Starkville Municipal Separate School Dist~~
~~William Q. McKee~~
~~McKee & McDowell~~
~~P. O. Box 550~~
~~Starkville, Mississippi 39759~~

 Oktibbeha County School District:
 William Ward, P. O. Box 59
 Starkville, Miss. 39759

 P. L Douglas, 103 West Main St.
 Starkville, Miss. 39759

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 6-30-69	Clerk	6-30-69	R-14977	\$15.00	
J.S. 6 mailed	Marshal				
Basis of Action: 28 USC §1343	Docket fee				
	Witness fees				
Action arose at: Oktibbeha Co., Miss.	Depositions				

DIST.	OFF.	DOCKET YR.	DOCKET NUMBER	FILING DATE			NO.	D.	P.	F.	MAG. NO.	COUNTY	JURY DEM.	DOCKET NUMBER		
				MO	DAY	YEAR								YR.	NUMBER	
0537	1	69	0037	03	08	82	3	440	4						69	37

PLAINTIFFS

DEFENDANTS

<p>1 BELL, WALTER LARRY, et al</p> <p>2 Dina TOWNSEND, Dina TOWNSEND, TOWNSEND, Minors by & through parent and next friend, Gwendolyn TOWNSEND; Edwin EDWARDS, Kerry EDWARDS, Edwin EDWARDS, Felecia EDWARDS, by parent and next friend, Ada Lee EDWARDS; Marelyn BECKMAN and Latasha BECKMAN, by their parent and next friend, Shirley Beckman; OKTIBBEHA COUNTY BRANCH of the NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP) by its president</p>	<p>OKTIBBEHA COUNTY SCHOOL DISTRICT</p> <p>CHRISTENSEN, DON D.</p> <p>ELLIS, RENE</p> <p>DEWBERRY, HARLESS</p> <p>FULGHAM, JAMES</p> <p>HARRELL, ARNELL, R.</p> <p>MacNEILL, BART, Dr.</p> <p>STARKVILLE MUNICIPAL SEPARATE SCHOOL DISTRICT (12/14/87)</p>
---	--

(Plaintiffs in Intervention)

UNITED STATES OF AMERICA

CAUSE

(Intervening Pltf 10/8/86) (CITE THE U.S. CIVIL STATUTE UNDER WHICH THE CASE IS FILED AND WRITE A BRIEF STATEMENT OF CAUSE)

28 USC 1343. Case Reopened
Pltfs charge defendants in contempt of Court for failure to comply with Desegregation Order of 2/6/70.

ATTORNEYS

<p>1 North MS Rural Legal Services P. O. Box 277 West Point, MS 39773</p> <p>2 Wilbur O. Colom COLOM, MITCHELL & COLOM 406 Third Avenue North Columbus, MS 39701 327-0903</p> <p>Robert Q. Whitwell, USA P. O. Drawer 886 Oxford, MS 38655 234-3351</p> <p>Judith Keith Department of Justice Civil Rights Division Education Section Post Office Box 65958 Washington, DC 20035-5958 202-633-2181</p>	<p>H. Russell Rogers WARD & ROGERS P. O. Drawer 59 Starkville, MS 39759 323-1912</p> <p>Ben F. Hilburn, Jr. P. O. Box 848 Starkville, MS 39759 323-3622</p> <p>Lydia Quarles (for ST. SCH.) McAlpin & Quarles Box 867 Starkville, MS 39759 323-9743</p>
--	--

when mailing to Ms Keith
Please type DO NOT OPEN IN
MAIL ROOM on envelope

FEES PAID		STATISTICAL CARDS	
RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
		JS-5	
		JS-6	3/2/84

IF FILED IN FORM PAUPERIS

Oktibbeha County School District

EC6937 S Bell v. ~~Starkville Municipal Separate School District, et al~~

DATE	PROCEEDINGS	Date Judgr
6-30-69	Filed Complaint. J. S. 5.	
6-30-69	Summons issued - mailed to U. S. Marshal, Oxford, Miss.	
6-30-69	Mailed Notice of Judge assignment.	
6-30-69	Mailed copy of Complaint to Lee Graves, Law Clerk to Judge Smith, Clarksdale, Miss.	
7-11-69	Filed Summons with Marshal's return- on July 2, 1969, served on Dr. B. Hal Buchanan, Paul Millsaps, James E. Hill, W. H. Corhern & Joe Tom Mosley- at Starkville, Miss.; on Dr. E. R. Black, Starkville, Miss., RFD. on July 9, 1969, served on Mr. John R. Ware, John Drane, Terrel Morgan, J. A. Fulghan, Starkville, Miss., William Randel, Rt. 1, Starkville, Miss. & Hermon Echols, Rt. 4, Starkville, Miss. (Bennett)	
7-8-69	Mailed Notice of hearing at Greenville, on August 5, 1969, 2:00 P. M., before Judge Orma R. Smith to counsel for Plaintiffs and to all defendants.	
7-14-69	Filed Interrogatories To Defendants Of The Starkville Municipal Separate School District.	
7-14-69	Mailed jacket file to Jan J. Estes, D. C., Greenville, Miss.	
7-14-69	Mailed copies of Notice (mailed on 7-8-69) to Attorneys for Defendants.	
7-23-69	Filed Answer Of The Defendants, Starkville Municipal Separate School District, Its Superintendent & Trustees.	
7-23-69	Filed Motion Of Starkville Municipal Separate School District, B. Hal Buchanan, Superintendent; Dr. E. R. Black, Paul Millsaps, James E. Hill, W. H. Corhern & Joe Tom Mosely, Trustees, To Grant A Severance Of The Causes Of Action Made & Filed Against These Defendants & The Oktibbeha County School District, Its Superintendent & Trustees.	
7-23-69	Mailed copy of Answer & Motion to Lee Graves, Law Clerk to Judge Orma R. Smith.	
7-24-69	Filed Answer To Some Of The Interrogatories Propounded To Some Of The Defendants. Mailed copy of docket entries to Madeleine Armstrong, D. C. Mailed original to Jan Estes, D. C., Greenville, to be placed in jacket file.	
7-25-69	Filed Motion Of Defendant, Oktibbeha County School District For Severance.	
7-25-69	Filed Notice of Motion by Defendant.	
7-25-69	Filed Answer Of The Defendant, Oktibbeha School District.	
7-25-69	Filed Answer To Interrogatories, with exhibits attached.	
7-28-69	Mailed copy of Motion, Notice of Motion & Answer to Lee Graves, Law Clerk to Judge Orma R. Smith, Corinth, Miss. Mailed copy of docket entries to Madeleine Armstrong, D. C., Oxford, Miss. Original Motion, Notice & Answer mailed to Jan J. Estes, D. C., Greenville, Miss., to be placed in jacket file.	
8-7-69	Entered Order, signed by Judge Smith on 8-6-69, severing Case - assigning No. EC6937(a)-S to Starkville Municipal Separate School District, in COB 8, pages 88-91. Copies of all pleadings or other papers placed in file No. EC6937(a)-S. Notice of entry mailed to counsel of record. Cert. copies mailed to all.	
8-7-69	Entered Order directing defts. to prepare and file with the Court a plan for the operation of the schools for the 1970-1971 year and thereafter by Dec. 1, 1969, in COB 8, pages 97-101. Notice of entry mailed to counsel of record. Cert. copies mailed by cert. mail to all counsel.	
9-4-69	Filed Motion For Leave To Appeal In Forma Pauperis. Mailed copy of Motion with copy of the Notice Of Appeal to Lee Graves, Law Clerk, Greenville, Miss.	
9-12-69	Entered Order, signed by Judge Orma R. Smith Sept. 11, 1969, sustaining plaintiff's Motion To Appeal In Forma Pauperis. COB 8, pg. 188 & 189. Mailed certified copy to Inez Edmondson, Official Court Reporter. Mailed copy of Notice of entry to all counsel of record.	
9-12-69	Filed Notice Of Appeal - mailed copy to counsel, court reporter, Judge Smith & Clerk, XXXXXXXXXXXXXXXXXXXX Circuit Court of Appeals, Fifth Circuit, New Orleans, La.	
10-14-69	Entered Order, signed by Judge Smith 10-13-69, extending time for filing record on Appeal until Dec. 11, 1969. COB 8, pg. 207. Mailed copies to Clerk, U. S. Court of Appeals & Inez Edmondson. Mailed Notice of entry to all counsel of record.	

D. C. 110 Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date of Judgment
11-17-69	Mailed record to Court of Appeals. This record requested by Court of Appeals before December 11, 1969 (See letter in file)	
11-26-69	Filed Plan Submitted By Oktibbeha County School District, Et Als. Mailed copy to Lee Graves, Law Clerk, Oxford, Miss.	
11-28-69	Received acknowledgement of record on appeal from U. S. Court of Appeals- received Nov. 19, 1969.	
12-15-69	Filed Interrogatories To Defendants Of The Oktibbeha County School District.	
12-15-69	Filed certified copy of judgment of the U. S. Court of Appeals, Fifth Circuit, reversing & remanding, with directions, to the District Court in accordance with opinion of the Court- defendants-appellees ordered to pay costs on appeal. Mailed copy of judgment to Lee Graves, Law Clerk to Judge Smith, Oxford , Miss., & to all counsel of record.	
	Filed Opinion of the US Court of Appeals- mailed copies to all concerned.	
12-22-69	Entered Order, signed by Judge Orma R. Smith Dec. 19, 1969, disapproving plan submitted on Nov. 26, 1969, and directing that a new plan be submitted by Jan. 6, 1970 - hearing scheduled on proposed new plan at Oxford, Miss., on Jan. 9, 1970, at 2:00 p. m. COB 8, pg. 286 & 287.	
	Mailed Notice of entry of Order to all counsel of record.	
2-29-69	Filed Motion For Ex Parte Order Supplementing The Court's Order of December 19, 1969 Setting Forth Requirements For A New Plan To Be Submitted By The Defendant. (Mailed copy of above to Judge Keady, Greenville) <i>Smith, Corinth</i>	
12-29-69	Filed Answer of School District with Respect to Interragatories.	
1-2-70	Filed Plaintiffs' Objections To Desegregation Plan. Mailed copy to Law Clerk. Filed Application For a Rule 37 Order to Require Defendants to Answer Interrogatories. Copy to Law Clerk.	
1-5-70	Filed Response To Application For Rule 37 Order To Require Answers To Interrogatories. Filed Amended Plan Submitted By Oktibbeha County School District, et als. Handed Lee Graves copies of Responce & Plan. Mailed originals to Oxford to be placed in jacket file.	
1-8-70	Hearing reset for 2:00 PM, Wed., Jan. 14, 1970, at Oxford, Miss.	
1-16-70	Entered Order, signed by Judge Smith Jan. 15, 1970, setting case for hearing on Feb. 2, 1970, etc., at Aberdeen, on Feb. 2, 1970. at 9:00 a. m. COB 8, pgs. 334 & 341. Certified copies of Order mailed by certified mail to all concerned. Mailed Notice of entry of order to all concerned.	
1-14-70	Filed Plan Submitted By Plaintiffs In The Oktibbeha County School District Suit.	
1-22-70	Filed Report Of Defendants On Biracial Committee. Mailed copy to Lee Graves, Law Clerk to Judge Smith, Corinth, Miss.	
1-26-70	Filed copy of Report Of Defendants On Biracial Committee- mailed copy to Lee Graves, Law Clerk, Corinth, Miss. MAILED COPY XXXX	
1-29-70	Filed Plan Submitted By Oktibbeha County School District Et Als. Filed Motion Of Oktibbeha County School District For Modification Of Order. Filed Memorandum In Support Of Motion For Modification & Amendment Of Order. Copies of all instruments mailed to Lee Graves, Law Clerk to Judge Smith, Corinth, Miss.	
2-6-70	Entered Order (Plan for School Operation) signed by Judge Smith on 2-6-70, in COB 9, pages 29-38. Notice of entry mailed to counsel of record. Certified copies mailed by cert. mail to counsel of record. <i>J.S.G.</i>	
2/2/70	Filed copy of plan for desegregation of school system Placed exhibits and exhibit list in jacket file	
3-30-70	Placed letter in jacket file from Kent Spriggs asking that his name be removed from the case, and add the following; Thomas Mayfield, Jon Thames, and John Brittain - copies XXXXXXXXXXXXXXXX of letter mailed to Law Clerks and Courtroom Deputies.	
5-4-70	Filed Notice Of Appearance & Withdrawal of Counsel.	
8-17-70	Filed Court Reporter's transcript of Ruling Of The Court In This Case & NO. EC6937 A.	

LS-P BELL Oktibeha Co.
 EC6937 ~~CA~~ - ~~S. Montgomery v. Starkville Separate School District, et al~~

DATE	DISC: 8/15/82	PROCEEDINGS	TRIAL 11/12/82	Date Judge
8-18-71	Motion For Supplemental Relief & Notice of Motion. Copy to Judge Smith by Attorney.			
8-25-71	Received Notice of Hearing on plaintiffs' Motion for Supplementary Relief set for Sept. 29, 1971, Oxford, Miss., before Judge Smith.			
9-27-71	Filed defendants' answer to interrogatories. Filed Motion To Dismiss on behalf of defendants. Filed Answer Of Defendants. Copies of instruments laid on Law Clerk's desk.			
9-30-71	Entered Order, signed by Judge Smith 9-29-71, denying defendants Motion To Dismiss plaintiffs' Motion For Supplementary Relief; sustaining in certain particulars plaintiffs' Motion For Supplementary Relief. COB 11, pgs. 240-244. Mailed Notice of entry.			
12-2-71	Filed Semi-Annual Report. Copy to Judge Smith.			
4-12-72	Filed Semi-Annual Report - copy to Law Clerk.			
1/26/82	Application of intvs. for supp. relief or in alt. to find defts in contempt.			
2/9/82	Application of intvs. for leave to intervene. RESPONSE of defts to pltfs' application for leave to intervene and ANSWER to application for supplemental Relief, etc.			
2/11/82	NOTICE REASSIGNING CASE TO JUDGE SENTER ORDER(CMP:2/11/82) ALLOWING INTERVENTION COMPLAINT			
3/8/82	INTERROGATORIES of deft to pltfs. REQUEST of deft FOR PRODUCTION of documents, etc. CASE REOPENED - instructions of CDC. JS-5			
4/15/82	ORDER ON DISCOVERY etc-deadline 8/15/82.			
4/16/82	NOTICE NJT 11/22/82, 9 a.m., Aberdeen.			
4/20/82	NOTICE, PTC, 10/4/82, 1:30 p.m., ABERDEEN.			
7/02/82	ANSWERS of pltfs to deft INTerr.			
9/30/82	NOTICE PTC re-set for 10/18/82, 2 PM, ABERDEEN.			
10/14/82	NOTICE NJT reset 1/6/83, Aberdeen, 9 a.m.			
10/18/82	NOTICE PTC re-set for 12/6/82, 1:30 PM, ABERDEEN.			
12/7/82	MINUTES & TAPES of PTC held 12/7/82-Final Order due 1/3/83; Pltfs to file statement identifying witness Wicks, Rogers, Elliott, Conley, Waide and Poe and summarizing facts to which witnesses will testify w/in 20 days.			
1/10/83	ORDER (LTS-12/30/82) REFERRING cause to Magistrate Powers for trial. To be appealed to Judge Senter in event of appeal.			
2/3/83	PRETRIAL ORDER (LTS-2/3/83) Estimated length of trial: 2 days.			
2/7/83	LETTER from Dolton W. McAlpin that he is not nor ever has been counsel in this case.			
2/10/83	LETTER from Tubb, Stevens & Morrison Law that they are not associated with this case.			
6/3/83	NOTICE of TRIAL BEFORE MAG, 7/14/83, 9 a.m., ABERDEEN.			
6/27/83	NOTICE TRIAL BEFORE MAG RESET, 8/16/83, 9 a.m., ABERDEEN CR # 2.			
6/28/83	NOTICE TRIAL BEFORE MAG, reset, 8/24/83, 9 a.m., ABERDEEN CR # 2.			
8/15/83	NOTICE CANCELLING TRIAL set for 8/24 until further notice			
3/21/84	CONSENT DECREE (LTS) 7/15/84 defts to submit proposal for new school zones; intvs. shall have 30 days to object to proposal, etc. JS-6			

EC6937A7S

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

C. Form No. 106A Rev.

TITLE OF CASE

ATTORNEYS

Stanley L. Taylor

Withdrawn 3-27-70

HORACE WILLIE MONTGOMERY, ET AL

v.

STARKVILLE MUNICIPAL SEPARATE
SCHOOL DISTRICT, ET AL

Oktibbeha County School District, et al

For plaintiff: (North Mississippi
~~Kent Spriggs Rural Legal Services)~~
~~John L. Maxey II & John G. Brittain, Jr.~~
~~Thomas Mayfield -206 Jordan Ave, West Point,~~
~~Thomas Royals Miss 39773~~
~~108-1/2 South Lamar~~
Oxford, Mississippi 38655 → John Brittain

Thomas Mayfield, Jon Thames
206 W. Jordan Ave.
West Point, Miss. 39773

Leon Johnson & Bennie L. Jones, Jr.
P. O. Box 277
West Point, Mississippi 39773
494-6122

For defendant: McKee & McDowell
P. O. Box 550
Starkville, Miss. 39759

Tubb & Stevens
P. O. Box 342
West Point, Miss. 39773
494-2611

Magistrate Powers

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
5 mailed 8-7-69	Clerk	1-22-70	R-16465 Notice of Appeal	\$5.00	
6 mailed	Marshal				
sis of Action: 28 USC \$1343	Docket fee				
	Witness fees				
tion arose at: Oktibbeha Co., Miss.	Depositions				

EC6937(A) s. Montgomery, et al v. Starkville Municipal School District, et al

DATE	PROCEEDINGS	Dat Judg
8-7-69	Entered Order, signed by Judge Smith on 8-6-69, severing Case No. EC6937-S, in COB 8, pages 88-91. Copies of all pleadings or other papers placed in this file which pertains to Deft. Starkville Municipal Separate School District, et al.	
8-7-69	Entered Order directing defts to prepare and file with the Court a plan for the operation of the schools for the 1970-1971 year and thereafter by Dec. 1, 1969, in COB 8, pages 92-96. Notice of entry mailed to counsel of record. Mailed AO Form 78 to Madeleing Armstrong, D. C., Oxford, Miss. Cert. copies mailed by cert. mail to counsel of record.	
-28-69	Filed Answer To Remainder Of Interrogatories Propounded To Some of the Defendants.	
9-4-69	Filed Motion For Leave To Appeal In Forma Pauperis. Mailed copy of Motion with copy of Notice of Appeal to Lee Graves, Law Clerk, Greenville, Miss.	
9-12-69	Entered Order, signed by Judge Orma R. Smith on Sept. 11, 1969, sustaining plaintiff's Motion To Appeal In Forma Pauperis. COB 8, pg. 190 & 191. Mailed certified copy to Inez Edmondson, Official Court Reporter. Mailed copy Notice of entry of Order to all counsel of record.	
9-12-69	Filed Notice of Appeal - mailed copies to counsel, court reporter, Judge Smith & Clerk of the Circuit Court of Appeals, Fifth Circuit, New Orleans, La.	
10-14-69	Entered Order, signed by Judge Smith 10-13-69, extending time for filing record on appeal to Dec. 11, 1969. COB 8, pg. 208. Mailed copies of Order to Clerk, U. S. Court of appeals & Inez Edmondson, Official Court Reporter. Notice of entry of Order mailed to all counsel of record.	
11-13-69	Filed Plaintiffs' Motion To Dismiss Appeal & Reconsider Desegregation Plan. Handed copy to Lee Graves, Law Clerk to Judge Smith.	
12-2-69	Filed Plan For Attaining Unitary School System- mailed copy to Lee Graves, Law Clerk to Judge Orma R. Smith, Oxford, Miss.	
12-2-69	Notice, mailed from Oxford, setting case for hearing on Fri., Jan. 9, 1970, at 2:00 P. M., in Oxford. Mailed jacket file to Madeleine Armstrong, D. C., Oxford, on Nov. 21, 1969.	
12-5-69	Filed Interrogatories To Defendants Of The Starkville Municipal Separate School District- mailed copy to Lee Graves, Law Clerk, Oxford, Miss.	
12-19-69	Filed Answer To Interrogatories By The Starkville Municipal Separate School District- mailed same to Madeleine Armstrong, D. C., Oxford, Miss. to be placed in jacket file.	
12-29-69	Filed Motion For Ex Parte Order Setting Forth Requirements For A New Plan To Be Submitted By The Defendant. Copy mailed to Judge Smith, Corinth.	
1-8-70	Hearin reset for 2:00 PM, Wed., Jan. 14, 1970, at Oxford, Miss.	
1-16-70	Entered Order, signed by Judge Smith Jan. 15, 1970, concerning a new plan for operation of schools and setting case for hearing at Aberdeen, Miss., on Feb. 2, 1970, at Aberdeen. COB 8, pgs. 342 - 349, incl. Certified copies of order mailed by certified mail to all concerned from Oxford. Mailed Notice of entry of Order to all counsel of record.	
1-2-70	Filed Plaintiffs' Objections To Desegregation Plan.	
1-14-70	Filed Proposed Plan For Desegregation Of Schools For The Starkville Municipal Separate School District.	
1-22-70	Filed Report Of Defendant, Starkville Municipal Separate School District- mailed copy to Lee Graves, Corinth, Miss.	
1-22-70	Filed Notice of Appeal. Mailed Receipt #16466 to John C. Brittain, Jr., Oxford, Miss., for \$250.00 cash Appeal Bond. Mailed copies of Notice of Appeal to Lee Graves (for Judge Smith), Inez Edmondson, Court Reporter, all counsel of record, Clerk, U. S. Court of Appeals, New Orleans,	
1-27-70	Mailed record on appeal, not including court reporter's transcript, with exhibits to Clerk, U. S. Court of Appeals, New Orleans, La.- attention: Jo Ann Buccola, D. C	L
8-25-71	Received Notice setting case for hearing at Oxford, Miss., on 9-29-71.	C

		PLAINTIFF	DEFENDANT	AMOUNT REPORTED IN ENCLOSURE RETURNS
1-30-70	Filed Court Reporter's transcript of proceedings had on Jan. 14, 1970, at Oxford, Miss., before Judge Smith. Mailed same to Clerk, U. S. Court of Appeals, New Orleans, La., to be included in record on appeal.			
1-30-70	Filed Report of Defendants. Copy will be handed to Judge Smith's Law Clerk, Mon., Feb. 2nd.			
2-6-70	Entered Order (Plan for School Operation), signed by Judge Smith on 2-5-70 in COB 9, pages 20-28. Notice of entry mailed to counsel of record. Certified copies mailed by cert. mail to counsel of record. J.S. Y			
2-9-70	Filed Order from Fifth Circuit denying plaintiffs motion for summary reversal. Handed copy to Judge Smith - Mailed copies to all attorneys.			
2/2/70	Filed copy of plan for desegregation of school system Placed exhibits and exhibit list in jacket file			
3-3-70	Received certified copy of Order from Clerk, U. S. Court of Appeals, dismissing appeal (on joint motion of the parties for dismissal of the appeal. Mailed copy to Bill Dodson, Law Clerk to Judge Smith.			
3-6-70	Filed Motion For Return Of Appeal Bond. Mailed copy to Bill Dodson, Law Clerk, Clarksdale, Miss.			
3-30-70	Placed letter in jacket file from Kent Spriggs asking that his name be removed from the case, and add the following; Thomas Mayfield, Jon Thames, and John Brittain - copies of letter mailed to Law Clerks and Courtroom Deputies.			
3-31-70	Entered Order, signed by Judge Smith March 31, 1970, directing clerk to return the \$250.00 appeal bond to plaintiffs. COB 9, pg. 118. Mailed Notice of entry. Mailed copy of order to Oxford for disbursement of funds.			
4-8-70	Registry chk #1188, in the sum of \$250.00, mailed to North Mississippi Rural Legal Service from Oxford office.			
5-4-70	Filed Notice of Appearance & Withdrawal Of Counsel.			
8-17-70	Filed Court Reporter's transcript of Ruling Of Court in this case & No. EC6937 S.			
8-18-71	Filed Motion For Supplemental Relief & Notice of Motion. Copy mailed to Judge Smith by attorney.			
9-28-71	Entered Order, signed by Judge Smith 9-28-71, granting defendant 30 days from date of order to answer to complaint for supplementary relief. COB 11, pg. 234. Mailed Notice of entry with copy of order to counsel.			
11-1-71	Entered Order, signed by Judge Smith, allowing defendant 20 additional days to Motion For Supplemental Relief. COB 11, pg. 288. Mailed Notice of entry.			
11-30-71	Entered Order, signed by Judge Smith 11-29-71, directing that deft. shall file with the Clerk on Dec. 15, 1971, & on April 15, 1972, and on those dates each year until further order of the court, setting forth certain information. COB 11, pgs. 349-353. Mailed Notice of entry.			

Dec 3 / 15 / 79

DATE	PLAINTS PROCEEDINGS
12-15-71	Filed Semi-Annual report. Copy to Law Clerk.
07/18/78	*Defts' MOTION TO DISSOLVE ALL OUTSTANDING INJUNCTIVE ORDERS AND TO DISMISS CAUSE FROM DOCKET, <i>notice of motion</i>
08/04/78	Filed NOTICE OF APPEARANCE OF COUNSEL Leon Johnson for pltf.
08/17/78	Filed pltf's MOTION FOR ENLARGEMENT OF TIME WITHIN WHICH TO RESPOND TO DEFTS' MOTION TO DISMISS.
8/21/78	ORDER SUSTAINING plffs' motion for enlargement of time to respond to defts' motion to dismiss and plffs have until 10/2/78 to submit reply filed.
9/29/78	Filed defts' SUPPLEMENT TO MOTION TO DISSOLVE ALL OUTSTANDING INJUNCTIVE ORDERS AND DISMISS CAUSE FROM DOCKET.
10/03/78	Filed ORDER of 10/2/78 that pltfs may have until 11/1/78 to respond to defts' motion supplemental motion.
11/8/78	Filed NOTICE OF HEARING ON DEFTS' MOTION TO DISSOLVE ALL OUTSTANDING INJUNCTIVE ORDER AND TO DISMISS CASE set for 10 a.m. on 11/17/78 in Aberdeen.
11/13/78	Mailed notice continuing hearing set 11/17/79 until further order of the court
1/5/79	Filed pltf's MOTION TO REOPEN DISCOVERY. Filed ORDER of 1/5/79 (1) Sustaining motion to reopen discovery; (2) That discovery be on or before 3/15/79; (3) REFERRING case to Mag. Powers for hearing and decision non dispositive motion.
2/23/79	Filed pltf's REQUEST TO INSPECT AND COPY DESIGNATED DOCUMENTS. * CASE REOPENED, pursuant to instructions of clerk. <u>JS-5</u>
3/1/79	PLTF'S FIRST SET OF INTERROGATORIES PROPOUNDED TO DEFTS.
3/9/79	DEFT'S INTERROGATORIES PROPOUNDED TO PLTF'S.
3/28/79	DEFTS' ANSWERS TO PLTF'S FIRST SET OF INTERROGATORIES.
6/01/79	ORDER of 5/30/79 (1) That prtys confer and exchange list of witnesses and exhibits by 6/13/79; (2) Prtys submit court a pretrial order by 6/20/79; (3) that clerk set hearing upon approval of pre-trial order, on defts' motion to dissolve all outstanding injunctive orders and to dismiss this cause.
7/14/80	MOTION of deft school TO WITHDRAW AND/OR DISMISS MOTION TO DISSOLVE I
7/16/80	ORDER (ORS-7/15/80) DISSOLVING all pending injunctions against deft sch and DISMISSING cause without prejudice against deft. COB 36, Page Notice to ptys. <u>JS-6</u>
1/7/82	SEMI-ANNUAL REPORT of School.
7/14/82	SEMI-ANNUAL REPORT OF SCHOOL (July, 1982).
12/22/82	SEMI-ANNUAL REPORT OF SCHOOL (Dec, 1982).
3/24/83	APPLICATION FOR LEAVE TO INTERVENE.
4/4/83	MOTION of defts FOR EXTENSION OF TIME to file response to Application Leave to Intervene.

DC 111A
(Rev. 1/75)

CIVIL DOCKET CONTINUATION SHEET EC69-37 (A)

PLAINTIFF HORACE W MONTGOMERY et al	DEFENDANT STARKVILLE MUNICIPAL SEPARATE SCHOOL DISTRICT et al	DOCKET NO. _____ PAGE ____ OF ____ PAGES
--	--	---

DATE	NR.	PROCEEDINGS
4/4/83		ORDER (CMP-4/4/83) GRANTING Defts add'l 20 days to file response to application to intervene.
4/26/83		RESPONSE of Defts IN OPPOSITION to Pltfs' APPLICATION TO INTERVENE
5/4/83		MOTION of pltfs for ADD'L TIME to file memo in response to deft's Opposition to pltf's Application to Intervene.
		ORDER (CMP-5/4/83) GRANTING movants 20 days from date to file reply memo.
6/28/83		ORDER (CMP-6/28/83) GRANTING mo to intervene as to named individuals - denying mo as to Oktibbeha & MS NAACP.
<p>ALL PLEADINGS IN THIS CASE HAVE BEEN TRANSFERRED TO CASE # EC83-293-LS-P</p>		

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT		DOCKET NO. _____	
WILLIAM HARRIS, ET AL		OKTIBBEHA COUNTY SCHOOL DIST.		PAGE ____ OF ____ PAGES	
DATE	NR.	IJ:	DISC:	PROCEEDINGS	PTC:
			4/30/87		7/22/87
4/2/84		MOTION		of Intervenors FOR AWARD OF ATTY FEES with AFFIDAVIT of WILBUR O. COLOM in support.	
4/4/84		RESPONSE		of defts to Mo for Atty Fees & Expenses.	
5/21/84		ORDER (AGREED)		(LTS-5/17/84) DISMISSING Pltfs' application for atty fees/litigation expenses w/prej.	
7/18/84		AGREED ORDER (LTS-7/17/84)		GRANTING defts to 7/30/84 to file reports in this cause.	
8/16/84		REPORT (D)		pursuant to Consent Decree.	
		RESPONSE (P)		to Report of defendants.	
9/11/84		NOTICE		HEARING on plffs' obj. to annual report 10/26/84, 10, Aberdeen.	
9/13/84		NOTICE (P)		to TAKE DEPOS of Don Christensen on 9/26/84.	
7/17/86		MOTION/NOTICE		of USA to INTERVENE as Pltf w/CERTIFICATE of Atty Gen Meese	
8/11/86		MOTION (D)		for enlargement of time to plead	
8/15/86		ORDER (LTS)		GRANTING Defts 30 days to file affidavits/brief in opposition to USA'S MO to INTERVENE	
10/3/86		ORDER (JAD-10/2/86)		GRANTING USA LEAVE TO INTERVENE as prty pltf	
10/6/86		COMPLAINT (USA)		IN INTERVENTION PROCESS issued for OCSD/Board hnd DUSM	JS-5A
10/20/86		RETURN OF SUMMONS		Executed on 10/10/86 on Oktibbeha Co. School District Don D. Christensen, Rene Ekkus, Harless Dewberry, James Fulgham, Ewc. ENWLL Harrell, Dr. Bart Macneill	
10/28/86		ANSWER (D)		to COMPL IN INTERVENTION	
		ORDER/DISCOVERY		PSO due 11/11/86	
11/13/86		SCHEDULING ORDER		DISC 4/30/87; Amend/join 1/30/87; PT MO 5/15/87; PTC 7/22/87, 10 a.m., Aberdeen	
1/5/87		1st REQUEST (USA)		FOR PRODUCTION OF DOCUMENTS from deft School	
1/6/87		JOINT MOTION		TO EXCEED LIMIT ON INTERR	
		ORDER (JAD)		GRANTING ptys leave to EXCEED LIMIT ON INTERR	
1/30/87		MOTION (USA)		to AMEND COMPLAINT IN INTERVENTION & for EXTENSION OF TIME FOR FURTHER AMENDMENT	

DC 111A
(Rev. 1/75)

CIVIL DOCKET CONTINUATION SHEET

EC69-37-S-D

PLAINTIFF		DEFENDANT		DOCKET NO. _____
WILLIAM HARRIS et al		OKTIBBEHA COUNTY SCHOOL		PAGE ____ OF ____ PA.
DATE	NR.	PROCEEDINGS		<i>Disc - 8/30/87</i>
2/6/87		ORDER (JAD)	GRANTING amendment of compl in intervent; EXTENDING time to amend/join add'l ptys	<i>Plc - 11/18/87</i>
2/10/87		1st INTERR (USA)	to Oktibbeha County School District	
4/1/87		MOTION (D)	to EXTEND DISC until 6/30/87.	
4/22/87		1st INTERR (D)	to USA	
4/30/87		ORDER (JAD)	EXTENDING disc deadline through 6/30/87, PTM to 7/22/87 PTC remains scheduled 7/22/87	
5/29/87		MOTION (USA) ANSWER (USA)	to AMEND COMPL in Intervention to Defts' 1st INTERROGS	
6/15/87		NOTICE (D)	of Deposition of Floyd Wade to be taken 6-30-87 " Charles Davis " " Hobart Witherspoon " " Art Peters "	
6/17/87		NOTICE (US) NOTICE (US) NOTICE (US) NOTICE (US)	to take depo of Wm. Cotton 6/29/87, Starkville to take depo of Mancel Fulce 6/29/87, Starkville to take depo of Ray Self 6/29/87, Starkville to take depo of Larry Perry 6/30/87, Starkville (subs. issued-mld to USM).	
6/18/87		MOTION (US)	for ltd. consolidation with EC 83-293-S.	
6/22/87		SUPP. ANSWER (USA) INTERROGS (2nd-USA) MOTION (USA)	to defts' first interrogs. for ext. of disc. deadline.	
6/26/87		ORDER (JAD)	GRANTING U. S. 60 day extension of disc de re allegations of unlawful student inter- district transfers, and race based denial employment benefits	
7/17/87		REPLY (USA)	to deft's MEMO IN OPPOSITION TO MO FOR LIMI CONSOLIDATION	
7/22/87		NOTICE	PTC reset 11/18/87, 1:30 p.m., ABERDEEN	
7/23/87		ORDER (JAD)	DENYING USA's MO for LIMITED CONSOLIDATION.	
7/23/87		ORDER (JAD)	GRANTING AMENDMENT TO COMPLAINT IN INTERVENTION	
7/31/87		1st REQUEST (P USA)	FOR ADMISSIONS to defts	
8/13/87	✓	CONSENT DECREE (LTS)	RE: Faculty	
8/31/87		MOTION (P-USA)	FOR JOINDER	

DC 111A
(Rev. 1/75)

CIVIL DOCKET CONTINUATION SHEET No. EC 69-37-S-D

PLAINTIFF		DEFENDANT		DOCKET NO. _____
HARRIS, et al		OKTIBBEHA CO SCHOOL		PAGE ____ OF ____ PAGES
DATE	NR.	PTC	PROCEEDINGS	
9/21/87			ANSWER (School District) to FIRST REQUEST FOR ADMISSIONS	
11/3/87			MOTION (USA) FOR EXTENSION & RESETTING OF PTC	
11/9/87			NOTICE OF RECEIPT OF ORIGINAL of Depos of Johnny Fulce, Larry Kent Perry, Willaim W. Cotton, Ray Y. Self by D. Judith Keith	
11/18/87			ORDER (JAD) RESETTING PTC 1/13/88, 1:30 p.m., Aberdeen	
12/14/87			ORDER (JAD) ✓ The Starkville Municipal Separate School District be joined as a party defendant in this cause	
2/18/87	✓		CONSENT DECREE (LTS) re Chapter I funds & EMT Claim..	
12/21/87			CERTIFICATE OF SERVICE (USS) re Complaint in Intervention & Amendmentw to Atty Dolton McAlpin on 12/16	
12/22/87			MOTION (D) to POSTPONE PTC	
			ORDER (JAD) POSTPONING PTC	
1/27/88			MOTION/NOTICE (D-Starkville School District) to DISMISS Starkville School District as Party Defendant	
2/2/88			AMENDED COMPLAINT (P-Intervenor) in Intervention and Motion to Futher Amend Complaint in Intervention	
			AMENDED COMPLAINT IN INERVENTION (P-Intervenor-USA)	
2/4/88			ORDER (JAD-2/3/88) Granting Amendment of Complaint in Intervention	
2/8/88			MOTION (P-Intervenor-USA) to Reopen Discovery	
2/22/88			MOTION/NOTICE (D-Starkville School District) for More Definite Statement	
3/4/88			MOTION (P-USA) for Extension of Time to Respond to Defts Motion for More Definite Statement	
3/8/88			ORDER (JAD-3/7/88) Granting extension of time for response of Pltf Intervenor U.S. to 3/11/88	
3/10/88			ORDER (JAD) DISC reopened on the issue of student interdistrict transfer and attendance outside school system of residence, disc deadline is set for 90 days from service the amended complaint in intervention on the Starkville Municipal Separate School	

CIVIL DOCKET CONTINUATION SHEET EC69-37-S-D

PLAINTIFF	DEFENDANT		DOCKET NO. _____ PAGE ____ OF ____ PAGES
RIS, et al	OKTIBBEHA .CO. SCHOOL		
E	NR.	PROCEEDINGS	
/88	IPTC 7/1/88	DISC. 5/3/88	
88	RESPONSE AND OPPOSITION (P-USA)	to Motion for More Definite Statement	
88	ORDER (JAD 3/16/88)	Disc deadline 5/3/88;PTM 6/3/88; IPTC 7/1/88, 1:30 PM, Aberdeen. (student interdistrict transfers)	
88	SECOND REQUEST *(pltf -intervenor USA)	for PRODUCTION OF DOCUMENTS to deft School	
	SECOND SET INTERR (*)	to deft School	
	THIRD REQUEST (*)	FOR PRODUCTION OF DOCUMENTS to deft Scho	
	THIRD SET INTERR (*)	to deft School	
:8	NOTICES(D P USA) (Sps issued - hnd DUSM)	To TAKE DEPOS of Donna J. Outlaw on 4/11/ to TAKE DEPOS of Mylinda Cannon on 4/11/ to TAKE DEPOS of Sarah Butler on 4/11/88 to TAKE DEPOS of Betty Evans on 4/11/88 to TAKE DEPOS of Reona Atkins 4/11/88 to TAKE DEPOS of George Lee Rogery 4/11/ to TAKE DEPOS of Nathene Collier on 4/11/ to TAKE DEPOS of DANNY M. Walker 4/11/88 to TAKE DEPOS of Juanita Cushman on 4/11/ to TAKE DEPOS of Ira Mae Bishop on 4/11/ to TAKE DEPOS of Helen Taylor 4/11/88 to TAKE DEPOS of MS Frankie Bell on 4/11/ to TAKE DEPOS of B. F. Box on 4/11/88 to TAKE DEPOS of B. F. Box on 4/11/88 to TAKE DEPOS of James Harold Smith on 4/11/88 to TAKE DEPOS of Susie Nichols on 4/11/88 to TAKE DEPO of Rose Marie Outlaw 4/11/88 to TAKE DEPO of Maggie Foxx 4/12/88 to TAKE DEPO of Nannie Mae Billups 4/12/ to TAKE DEPO of Hazel Williams 4/12/ to TAKE DEPO of MOrderia Petty4/12/88 to TAKE DEPO of Cora Issac 4/12/88 to TAKE DEPO of Joseph Landfair 4/12/88 to TAKE DEPO of Willard or Nancy Bell 4/11/88 to TAKE DEPOS of Dorothy Smith on 4/11/	

DC 111A
(Rev. 1/75)

CIVIL DOCKET CONTINUATION SHEET

No. EC 69-37-S

PLAINTIFF		DEFENDANT		DOCKET NO. _____
HARRIS, et al		OKTIBBEHA CO. SCHOOL		PAGE ____ OF ____ PAGES
DATE	NR.	DISC. <u>5/3/88</u>	PTC <u>7/3/88</u>	PROCEEDINGS
4/8/88		ORDER (JAD)		Provisions of this Court's order of 1/6/ concerning the numbers of sets of interr the limit of 100 interr per party, inclu subparts, remain in effect, however, the provisions now also apply to interr propounded against the SSD by the OCS D the US, it is further ordered that defts SSD are hereby granted leave to propound up to 100 interr, including subparts
4/21/88		AGREED ORDER (JAD)		Disc extended to 7/3/88, date of 1st PTC PTM 7/3/88; Granting Starkville School D: to 5/15/88 to RESPOND to 2nd INTERR & RE FOR PRODUCTION
4/28/88		MOTION/NOTICE (D-Starkville School District)		For Protective Order
5/2/88		ORDER (JAD)		DENYING deft Starkville School's Motion for more definite statement
5/16/88		RESPONSES/OBJS (D-Starkville School)		to 2nd Set of Interr Propounded by Intervenor USA
5/18/88		RESPONSES/OBJS (D-Starkville Sch)		to 2nd Request for Production of Documents Propo by Itervenor USA
5/10/88		ANSWER (D-School)		to Amended Complaint
5/19/88		ORDER (LTS)		OVERRULING MO of St. Sch. Dist. to DISMIS
6/1/88		INTERR & REQUEST (D Starkville)		FOR PRODUCTION to Oktibehha County School Dist
		INTERR & REQUEST (D Starkville)		FOR PRODUCTION to USA
6/9/88		ORDER (JAD)		Any discovery containing such personally identifying information which is filed with the court, such as interrogatories or interrogatory answers, shall be filed and <u>maintained under se</u> by the clerk of court
6/10/88	✓	CONSENT ORDER (LTS)		re OCS D - giving total amts due under this decr with names of payees.
Vol VI				
6/14/88		AMENDED RESPONSES (D-Starkville)		to 2nd Request for Production of Documents of USA
6/17/88		ANSWER (USA)		to deft Starkville, et al's 1st REQUEST FOR PRO
		ANSWER (USA)		to Starkville's 1st INTERR Under seal. <u>Placed in vault.</u> (destroyed 6/9/88)

CIVIL DOCKET CONTINUATION SHEET

NO. EC 69-37-S

PLAINTIFF		DEFENDANT		DOCKET NO. _____
WILLIAM HARRIS et al		OKTIBBEHA CO. SCHOOL DISTRICT, & STARKVILLE SCHOOL DISTRICT, ET AL		PAGE _____ OF _____ PAGES
DATE	NR.	IJ:	DISC: 5/3/88 PROCEEDINGS PTC. 7/3/88	TRIAL:
6/28/88		AMENDED RESPONSES (D Starkville)	to USA's 2nd INTERR	
6/30/88		ANSWER (D Co.)	to deft Starkville's INTERR & REQUEST FOR PRODUCTION OF DOCUMENTS & TANGIBLE THINGS	
7/21/88		NOTICE(D-Starkville)	to TAKE DEPO of Dr. Wayne Gressett 8/12/88	
		NOTICE(D-Starkville)	to TAKE DEPO of Ms Peggy Rogers 8/12/88	
8/2/88		NOTICES (USA)	TO TAKE DEPOS of Dr. David DeRuzzo on 8/11/88, Robert Pearson or Doris Pearson, Peggy Sides, Anna Ware Bray, Larry Dwaine Allgood or Cathy P. Allgood, Albert Wolfe or Donna Wolfe, Larry Box, Carl Eugene Clardy Mike Johnson or Cindy Johnson, Mary Jane Meadows, Ellaine Tuner &/or Highway Patrol, on 8/12/88. Issued subp.- hnd DUSM	
8/12/88		RETURNS	Process served on Peggy Sides 8/9/88, Mike Johnson 8/9/88, Larry Box 8/9/88, USM 285	
8/23/88		MINUTES	PTC 7/1/88, Estimated length of trial: 2 da No Final PTC necessary. Finl PTO to be subm 30 days prior to trial. FAIR POSSIBILITY OF	
		NOTICE	NJT 11/21/88, 10, Aberdeen.	
8/25/88		ORDER (JAD)	FINAL PTC UNNECESSARY. PTO due 10/21/88. Failure to submit timely PTO will result in \$100 sanction per day for each day late.	
8/26/88		NOTICE	NJT reset 1/9/89, 10, Aberdeen.	
10/18/88	1	CONSENT DECREE (LTS-10/17/88)	terminating Oktibbeha County School Claim (see order in file)	
11/10/88		MOTION (USA)	withdrawing allegations re: Oktibbeha Co. School District	
11/18/88		RESPONSE (D Starkville)	to MO of USA for leave to w/draw its allegations against the Starkville Sch Dist	
12/14/88		REPLY/OPPOSITION	to Deft's Response to US's Motion to With- draw Allegations	
12/20/88		NOTICE	CONTINUING NJT UNTIL FURTHER ORDER.	

DC 111A
(Rev. 1/75)

CIVIL DOCKET CONTINUATION SHEET

EC 69-37-S

PLAINTIFF		DEFENDANT		DOCKET NO. _____
DATE	NR.	PROCEEDINGS		
HARRIS		OKTIBBEHA COUNTY SCHOOL DISTRICT		PAGE ____ OF ____ PAGES
1/4/89		OPINION (LTS) ORDER (LTS)	DISMISSING CLAIM OF USA against Starkville Municipal Separate School District. CASE CLOSED	
9/15/89		STATUS REPORT (USA)		
11/3/89		STATUS REPORT (SCHOOL DISTRICT)		