

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

C. Form No. 106A Rev.

Ⓢ

TITLE OF CASE

ATTORNEYS

John D. Griffith, Kitty O. Griffith
Patty L. Griffith, Minor by Selelia Griffth and
John B. Griffith, their parents and next friends,
et.al.

vs.

J.L. Robinson, Phillip Westall, B.B. Penland
and C. Rez McIntosh, Members of the Yancey
County Board of Education, and HubertD. Justice
Superintendent of Schools of Yancey County,
North Carolina.

INDEXED

Vio: Title 28 USC Sec 1343 and Title 42 USC
Sec. 1983. Intergration.

For plaintiff:

Ruben J. Dailey, Asheville, N.C.
Conrad O. Pearson, Durham, N.C.
Thurgood Marshall and Jack Greenburg
New York (19) N.Y.

For defendant:

C.P. Randolph
B urnsville, N.C.

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
S. 5 mailed	Clerk	11-11	Ruben Dailey	15 00	
		11-13	Gen.&Special		15 00
				<u>15 00</u>	<u>15 00</u>
S. 6 mailed	Marshal				
asis of Action:	Docket fee				
	Witness fees				
Action arose at:	Depositions				

DATE 1959	PROCEEDINGS	Date Order Judgment
11-11	Filing complaint	
do	Iss summons together with copies for service by U.S. Marshal	
do	Filing Petition for order appointing next friends for minors.	
do	Ent and filing Order appointing next friends.	
do	Filing bond for costs.	
11-16	Filing Voluntary Non Suit as to B.B. Penland	
11-19	Filing Motion for immediate relief.	
11-18	Filing summons returned executed as to all defendants.	
11-27	Filing Motion and petition to dismiss	
do	Filing Notice to dismiss returnable Dec 1st 1959	
12-9	Filing Notice and motion to amend complaint, order allowing same returnable Dec. 14th 1959	
12-23	Filing Order and amendment returned executed.	
12-24	Ent and filing Order dismissing action as to J.L. Robinson, Phillip Westall, C. Rex McIntosh members Yancey County Board of Education. Hubert D. Justice Supt of Schools Yancey County, N.C.	
1-8-60	Filing Motion for preliminary injunction	
do	Filing Notice of Motion for preliminary injunction.	
do	Filing request for admissions	
1-13-60	Filing Request, Motion and Notice returned executed by U.S. Marshal on all members of Yancey County Board, except C.Rex McIntosh who was out of town.	
1-19	Filing Motion and Answer	
do	Filing Answer of the Board of Education of Yancey County to Motion for Injunction	
do	Filing Notice of Motion and Motion to Quash Request for admission and to deny Injunction returnable Jan 21st 1960.	
do	Filing Petition copies of documents mailed Pltfs Attorney.	
1-19	Iss summons for members of Board of Education of Yancey County, and Mr. Randolph Attorney.	
1-21	Filing summons returned executed as to all members of the Board and Mr. Randolph except Mr. Westall.	
4-8	Filing notice of taking deposition.	
4-9	Filing certificate of service of notice.	
5-18	Filing deposition of Dr. Charles F. Carroll	
7-11-60	The case is called issues joined proceeds for trial: Plt witness Mrs John D. Griffith sworn and examined, Selelia Griffith sworn and examined, Ted Jackson sworn examined, Court Young sworn examined, Court Young sworn and examined, Parker sworn and examined, Barnett sworn and examined, Christine Griffith sworn and examined.	
7-12	Re-called and proceeds for trial, All plaintiff witnesses tendered, and will testify same as above. Pltf wit: Hubert D. Justice sworn and examined. Pltf rests Deft rests: File briefs in 21 days.	
7-15	Filing briefs of plaintiffs and served on defendant.	
8-23	Filing Motion of plaintiff to file supplemental complaint.	
do	Filing verified supplemental complaint	
do	Filing Memorandum of points of authorities	
do	Filing Motion for temporary restraining order	
do	Filing Temporary restraining order	
do	Filing points of authorities in support of order	
do	Filing Motion for preliminary injunction	
do	Filing preliminary injunction	
do	Filing points of authorities in support thereof	
8-24	Filing U.S. Marshal return of service on defendants attorney	

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DATE	FILINGS--PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
		PLAINTIFF	DEFENDANT	
1960				
8-30	Filing Motion for hearing			
9-13	Ent and filing findings of fact and conclusions of law			
9-26	Entering and filing Order Granting Injunction. J.S 6 issued.			
10-11	Filing Minutes of Board of County Commissioners abandoning any appeal and complying with Court order.			
4-5-62	Filing Motion of Plaintiffs copy mailed defts attorneys			
5-24	Filing Answer to Motion of the plaintiffs, copy furnished pltfs attys.			
6-25	Filing Motion to amend motion heretofore filed by pltfs copy mailed Defts attys.			
8-2-62	Called on pltfs motion to enforce former order. Ruling open.			
8-14	Ent and fil order that pltf attend school assigned formerly.			
3-7-63	Filing plaintiff request for interrogatories			
3-22-63	Filing Answer to Interrogatories.			
8-21	Filing Motion for temporary restraining order returnable Aug. 27th, 1963. copies mailed defts.			
9-26	Called on motion for injunction, open for judgment.			
10-28	Ent and filing Judgment in accordance with plaintiffs motion and the cause is retained for further orders.			