

**U.S. District Court
Southern District of Mississippi (Southern)
CIVIL DOCKET FOR CASE #: 1:05-cv-00349-LG-RHW**

Thomas v. City of Gulfport, Mississippi et al
Assigned to: Chief District Judge Louis Guirola, Jr
Referred to: Magistrate Judge Robert H. Walker
Cause: 42:1983 Civil Rights Act

Date Filed: 07/21/2005
Date Terminated: 01/31/2007
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Virginia Thomas

Plaintiff

Erika Brock

Plaintiff

Steven Riley

Plaintiff

Timothy Mason

Plaintiff

Jacqueline Lindsey

Plaintiff

Clarence Anderson

Plaintiff

Christopher Jamieson

Plaintiff

Hubert Lindsey

Plaintiff

Kenneth Foxworth

Plaintiff

Karen Eley

Plaintiff

Henry Winters

Plaintiff

Dorothy Cooley

Plaintiff

Deborah Jenkins

Plaintiff

Oscar Jackson

Plaintiff

Carl Tate

Plaintiff

All Plaintiffs

represented by **Miriam Gohara – PHV**
NAACP LEGAL DEFENSE
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Sarah Geraghty – PHV
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V.

Defendant

City of Gulfport, Mississippi

represented by **Jeffrey S. Bruni**
CITY OF GULFPORT
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228/868-5811
Email: jbruni@gulfport-ms.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Bill Atchison
*Gulfport Municipal Judge, in his Official
Capacity*

represented by **Jeffrey S. Bruni**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Richard Smith
Gulfport Municipal Court Judge, in his
Official Capacity

represented by **Jeffrey S. Bruni**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Bill Markopoulos
Court Administrator, Gulfport Municipal
Court, in his Official Capacity

represented by **Jeffrey S. Bruni**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Walter Eighmey
Senior Warrants Officer, Gulfport Police
Department, in his official capacity

represented by **Jeffrey S. Bruni**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/21/2005	<u>1</u>	COMPLAINT against City of Gulfport, Mississippi, Bill Atchison, Richard Smith, Bill Markopoulos (Filing fee \$ 250 receipt number 023965), filed by All Plaintiffs. (Attachments: # <u>1</u> Civil Cover Sheet)(AVM) (Entered: 07/21/2005)
07/21/2005	<u>2</u>	MOTION for Sarah Geraghty, Stephen Bright, and Miriam Gohara to Appear Pro Hac Vice, filed by All Plaintiffs. (AVM) (Entered: 07/21/2005)
07/21/2005	<u>25</u>	Summons Issued as to City of Gulfport, Mississippi, Bill Atchison, Richard Smith, Bill Markopoulos. (AVM) (avm). (Entered: 07/21/2005)
07/21/2005		Pro Hac Vice fee paid by Southern Center for Human Rights: \$ 25, receipt number 023966 for Sarah Geraghty; \$ 25, receipt number 023967 for Stephen Bright; \$25, receipt number 23968 for Miriam Gohara (AVM) (Entered: 07/21/2005)
07/29/2005	<u>3</u>	NOTICE of Appearance by Robert B. McDuff on behalf of All Plaintiffs (McDuff, Robert) (Entered: 07/29/2005)
08/02/2005	<u>4</u>	ORDER granting <u>2</u> Motion for Sarah Geraghty, Stephen Bright, and Miriam Gohara to Appear Pro Hac Vice. Signed by Judge Robert H. Walker on August 2, 2005. (King, Steve) (Entered: 08/02/2005)
08/02/2005	<u>5</u>	SUMMONS Returned Executed by All Plaintiffs as to City of Gulfport, Mississippi (by service on City Attorney Harry Hewes) served on 7/21/2005, answer due 8/10/2005; Bill Atchison served on 7/21/2005, answer due 8/10/2005; Richard Smith served on 7/21/2005, answer due 8/10/2005; Bill Markopoulos served on 7/21/2005, answer due 8/10/2005. (AVM) (Entered: 08/02/2005)
08/09/2005	<u>6</u>	AMENDED COMPLAINT against Walter Eighmey, City of Gulfport, Mississippi, Bill Atchison, Richard Smith, Bill Markopoulos, filed by All Plaintiffs.(AVM) (Entered: 08/09/2005)
08/10/2005	<u>7</u>	MOTION for Extension of Time to File Answer by City of Gulfport, Mississippi, Bill Atchison, Richard Smith, Bill Markopoulos. (AVM) (Entered: 08/11/2005)
08/17/2005		TEXT ONLY ORDER granting <u>7</u> Motion for Extension of Time to Answer City of Gulfport, Mississippi answer due 9/9/2005; Bill Atchison answer due 9/9/2005; Richard Smith answer due 9/9/2005; Bill Markopoulos answer due 9/9/2005. NO FURTHER WRITTEN ORDER WILL ISSUE FROM THE COURT. Signed by Judge Robert H. Walker on August 17, 2005. (King, Steve) (Entered: 08/17/2005)
10/17/2005	<u>8</u>	Second MOTION for Extension of Time to File <i>Response or Other Documents</i> by City of Gulfport, Mississippi, Bill Atchison, Richard Smith, Bill Markopoulos. (Attachments: # <u>1</u> Exhibit Exhibit "A" – September 29, 2005, Letter from Plaintiffs' Attorneys)(Bruni, Jeffrey) (Entered: 10/17/2005)
10/31/2005		TEXT ONLY ORDER granting <u>8</u> Motion for Extension of Time until 11/9/05 to File Responsive Pleading. No further written order will issue from the Court.

		Signed by Judge Robert H. Walker on October 31, 2005. (King, Steve) (Entered: 10/31/2005)
10/31/2005		Set Deadlines/Hearings: Answer due by 11/9/2005. (King, Steve) (Entered: 10/31/2005)
11/09/2005	<u>9</u>	MOTION for Extension of Time to File Answer re <u>1</u> Complaint <i>and/or Any Proper Amendment Thereof or to Submit Response and/or for a Temporary Stay of Proceedings</i> by City of Gulfport, Mississippi, Bill Atchison, Richard Smith, Bill Markopoulos. (Bruni, Jeffrey) (Entered: 11/09/2005)
11/14/2005		TEXT ONLY ORDER granting <u>9</u> Motion for Extension of Time to Answer City of Gulfport, Mississippi answer due 1/9/2006; Bill Atchison answer due 1/9/2006; Richard Smith answer due 1/9/2006; Bill Markopoulos answer due 1/9/2006. No further written order will issue from the Court. Signed by Judge Robert H. Walker on November 14, 2005. (King, Steve) (Entered: 11/14/2005)
01/09/2006	<u>10</u>	MOTION for Extension of Time to File <i>Response to Complaint Or Any Proper Amendment Thereof, Without Waiving Any Objections or Defenses</i> , by City of Gulfport, Mississippi, Bill Atchison, Richard Smith, Bill Markopoulos. (Attachments: # <u>1</u> Exhibit Exhibit "A" to Additional Motion for Further Extension of Time)(Bruni, Jeffrey) (Entered: 01/09/2006)
01/10/2006		TEXT ONLY ORDER granting <u>10</u> Motion for Extension of Time to File Response to Complaint, deadline for response 2/23/06. No further written order will issue from the Court. Signed by Judge Robert H. Walker on January 10, 2006. (King, Steve) (Entered: 01/10/2006)
02/23/2006	<u>11</u>	MOTION for Extension of Time to File <i>Response to Complaint Or Any Proper Amendment Thereof, Without Waiving Any Objections or Defenses</i> , by City of Gulfport, Mississippi, Bill Atchison, Richard Smith, Bill Markopoulos. (Attachments: # <u>1</u>)(Bruni, Jeffrey) (Entered: 02/23/2006)
02/24/2006		TEXT ONLY ORDER granting <u>11</u> Motion for Extension of Time to File Response to Complaint; defendants shall have 14 days from the date of this Order to respond. No further written order will issue from the Court. Signed by Judge Robert H. Walker on February 24, 2006. (King, Steve) (Entered: 02/24/2006)
02/27/2006		Set/Reset Deadlines: City of Gulfport, Mississippi answer due 3/10/2006; Bill Atchison answer due 3/10/2006; Richard Smith answer due 3/10/2006; Bill Markopoulos answer due 3/10/2006. Answer due by 3/10/2006. (wd) (Entered: 02/27/2006)
03/10/2006	<u>12</u>	MOTION to Quash <i>and Dismiss Pursuant to Fed. R. Civ. P. 4 and 12, Specially Appearing</i> , by City of Gulfport, Mississippi, Bill Atchison, Richard Smith, Bill Markopoulos. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u>)(Bruni, Jeffrey) (Entered: 03/10/2006)
03/13/2006	<u>13</u>	RESPONSE in Opposition re <u>12</u> MOTION to Quash <i>and Dismiss Pursuant to Fed. R. Civ. P. 4 and 12, Specially Appearing</i> , filed by All Plaintiffs. (Geraghty – PHV, Sarah) (Entered: 03/13/2006)
03/23/2006	<u>14</u>	REPLY to Response to Motion re <u>12</u> MOTION to Quash <i>and Dismiss Pursuant to Fed. R. Civ. P. 4 and 12, Specially Appearing</i> ,, <u>13</u> Response in Opposition to Motion – <i>Rebuttal Memorandum in Support of Motion to Quash and Dismiss Pursuant to Fed. R. Civ. P. 4 and 12, Specially Appearing</i> , filed by City of Gulfport, Mississippi, Bill Atchison, Richard Smith, Bill Markopoulos. (Attachments: # <u>1</u>)(Bruni, Jeffrey) (Entered: 03/23/2006)
03/29/2006	<u>15</u>	RESPONSE in Opposition re <u>12</u> MOTION to Quash <i>and Dismiss Pursuant to Fed. R. Civ. P. 4 and 12, Specially Appearing</i> , filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit 1: Declaration of Virginia Thomas# <u>2</u> Exhibit 2: print out from Harrison County Jail docket)(Geraghty – PHV, Sarah) (Entered: 03/29/2006)
04/03/2006	<u>16</u>	REPLY to Response to Motion re <u>12</u> MOTION to Quash <i>and Dismiss Pursuant to Fed. R. Civ. P. 4 and 12, Specially Appearing</i> ,, <u>13</u> Response in Opposition to Motion, <u>14</u> Reply to Response to Motion,, <u>15</u> Response in Opposition to Motion, <i>Surrebuttal in Support of Motion to Quash and Dismiss Pursuant to Fed. R. Civ. P. 4 and 12, Specially Appearing</i> , filed by City of Gulfport, Mississippi, Bill

		Atchison, Richard Smith, Bill Markopoulos. (Attachments: # <u>1</u>)(Bruni, Jeffrey) (Entered: 04/03/2006)
08/23/2006	<u>17</u>	ORDER denying <u>12</u> Motion to Quash . Signed by Judge Louis Guirola Jr. on 08/23/06. (Guirola, Louis) (Entered: 08/23/2006)
08/31/2006	<u>26</u>	Summons Issued as to Walter Eighmey and Brent Warr (amended complaint). (jch) (avm). (Entered: 08/31/2006)
09/06/2006	<u>18</u>	SUMMONS Returned Executed by All Plaintiffs as to City of Gulfport, Mississippi served on 8/31/2006, answer due 9/20/2006. (Geraghty – PHV, Sarah) (Entered: 09/06/2006)
09/06/2006	<u>19</u>	SUMMONS Returned Executed by All Plaintiffs as to Walter Eighmey served on 8/31/2006, answer due 9/20/2006. (Geraghty – PHV, Sarah) (Entered: 09/06/2006)
09/27/2006	<u>20</u>	ORDER STAYING CASE for 120 days pending settlement discussions. Signed by Judge Robert H. Walker on September 27, 2006. (King, Steve) (Entered: 09/27/2006)
09/27/2006	<u>21</u>	NOTICE of Calendar Setting for telephonic status conference on 2/1/07 (jrussell,) (Entered: 09/27/2006)
09/27/2006		Set/Reset Hearings: Telephonic Status Conference set for 2/1/2007 02:30 PM before Magistrate Judge Robert H. Walker. (jrussell,) (Entered: 09/27/2006)
01/12/2007	<u>22</u>	MOTION for Extension of Time to File <i>Response to Complaint And/Or Amended Complaint, or any proper amendment thereof</i> , by City of Gulfport, Mississippi, Walter Eighmey, Bill Atchison, Richard Smith, Bill Markopoulos. (Attachments: # <u>1</u>)(Bruni, Jeffrey) (Entered: 01/12/2007)
01/12/2007		TEXT ONLY ORDER granting <u>22</u> Motion for Extension of Time to File Response to Complaint. Defendant shall have until February 2, 2007, to respond to plaintiffs' complaint and/or amended complaint. No further written order will issue from the Court. Signed by Judge Robert H. Walker on January 12, 2007. (King, Steve) (Entered: 01/12/2007)
01/16/2007		Set Deadlines/Hearings: Answer due by 2/2/2007. (AVM) (Entered: 01/16/2007)
01/31/2007	<u>23</u>	STIPULATION of Dismissal by All Plaintiffs, City of Gulfport, Mississippi, Walter Eighmey, Bill Atchison, Richard Smith, Bill Markopoulos. (Geraghty – PHV, Sarah) (Entered: 01/31/2007)
02/01/2007		DOCKET ANNOTATION as to # 23 : as this document appears to be an order to be signed by the Judge, attorneys are reminded that this should be properly submitted to chambers pursuant to the rules for electronic filing, and not filed with the Clerk's office. (AVM) (Entered: 02/01/2007)
02/02/2007	<u>24</u>	NOTICE of Endorsement by City of Gulfport, Mississippi, Walter Eighmey, Bill Atchison, Richard Smith, Bill Markopoulos re <u>23</u> Stipulation of Dismissal (Bruni, Jeffrey) (Entered: 02/02/2007)