

**U.S. District Court
Southern District of Mississippi (Eastern (Hattiesburg))
CIVIL DOCKET FOR CASE #: 2:11-cv-00053-KS-MTP**

Disability Rights Mississippi v. Forrest County, Mississippi
Assigned to: District Judge Keith Starrett
Referred to: Magistrate Judge Michael T. Parker
Cause: 42:1983 Civil Rights Act

Date Filed: 03/07/2011
Jury Demand: None
Nature of Suit: 444 Civil Rights: Welfare
Jurisdiction: Federal Question

Plaintiff

Disability Rights Mississippi

represented by **Jody E. Owens , II**
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ATTORNEY TO BE NOTICED

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TERMINATED: 07/28/2011
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V.

Defendant

Forrest County, Mississippi

represented by **James K. Dukes , Jr.**
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Cross Claimant

Forrest County, Mississippi

represented by **James K. Dukes , Jr.**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Cross Defendant

Disability Rights Mississippi

represented by

Jody E. Owens , II
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

Poonam Juneja
 (See above for address)
 TERMINATED: 07/28/2011
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/07/2011	<u>1</u>	COMPLAINT against Forrest County, Mississippi (Filing fee \$ 350 receipt number 24643001101), filed by Disability Rights Mississippi. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit A – News Articles/ Photos/Juvenile Facilities Monitoring Unit Letters, # <u>3</u> Exhibit B – Amended Cooperative Agreement for DRMS and MYJP, # <u>4</u> Exhibit C – Letters from SPLC, # <u>5</u> Exhibit D – Agreed Orders Filed in USDC Southern District of MS)(LDR) (Entered: 03/08/2011)
03/07/2011	<u>2</u>	Summons Issued as to Forrest County, Mississippi. (LDR) (Entered: 03/08/2011)
03/08/2011	<u>3</u>	MOTION for Preliminary Injunction by Disability Rights Mississippi (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Owens, Jody) (Entered: 03/08/2011)
03/08/2011	<u>4</u>	MEMORANDUM in Support re <u>3</u> MOTION for Preliminary Injunction filed by Disability Rights Mississippi (Owens, Jody) (Entered: 03/08/2011)
03/09/2011		DOCKET ANNOTATION as to #3: Exhibits missing meaningful description. L.U.Civ.R. 7 requires that all supporting exhibits to a document be denominated by an exhibit letter or number and a meaningful description. Attorney is advised to follow this rule in future filings. (LDR) (Entered: 03/09/2011)
03/14/2011	<u>5</u>	ORDER setting dates certain re <u>3</u> MOTION for Preliminary Injunction filed by Disability Rights Mississippi. Respondent's response is due on or before March 22, 2011; the Movant's rebuttal, if any, is due on or before March 29, 2011. Signed by District Judge Keith Starrett on 3/14/11 (scp) (Entered: 03/14/2011)
03/22/2011	<u>6</u>	ANSWER to <u>1</u> Complaint, <i>for Injunctive and Declaratory Relief</i> , CROSSCLAIM <i>for Declaratory Judgment</i> against Disability Rights Mississippi by Forrest County, Mississippi.(Dukes, James) (Entered: 03/22/2011)
03/29/2011		TEXT ONLY ORDER Setting Conference Call and, additionally, setting an in-person Hearing on Injunctive and Declaratory Relief. At the request of counsel, a conference call in this matter is set for Thursday March 31, 2011 at 9:00 a.m. The call shall be initiated by the Court. Additionally, an in-person hearing in this matter is set for Tuesday, April 12, 2011 at 2:30 p.m., Colmer Federal Building, Courtroom 1, before U.S. District Judge Keith Starrett. NO FURTHER WRITTEN ORDER SHALL ISSUE FROM THE COURT. Signed by District Judge Keith Starrett on March 29, 2011 (dsl) (Entered: 03/29/2011)
03/29/2011	<u>7</u>	REPLY ANSWER to <u>6</u> Answer to Complaint, Crossclaim by Disability Rights Mississippi.(Owens, Jody) (Entered: 03/29/2011)
03/31/2011		Minute Entry for proceedings held before District Judge Keith Starrett: Telephone Conference held on 3/31/2011. It was determined by the Court and counsel for the parties that an in person hearing previously set would need to be held. The hearing was previously scheduled to be heard on Tuesday, April 12, 2011, at 2:30. The time of the hearing has been changed to 1:00 p.m., however, the date remains set for April 12, 2011. A text order will be entered resetting same. PARTICIPANTS: Jody E. Owens, II on behalf of Plaintiff; James K. Dukes, Jr. and David Miller on behalf of Defendant. (dsl) (Entered: 03/31/2011)
03/31/2011		TEXT ONLY ORDER RESETTING TIME OF HEARING FOR INJUNCTIVE AND DECLARATORY RELIEF. The hearing previously set for Tuesday, April 12, 2011, at 2:30 p.m. has been reset for 1:00 p.m. Please note that only the time of the hearing has changed. The date of the hearing remains Tuesday, April 12, 2011.

		The hearing will be held at the Colmer Federal Courthouse, Courtroom 1, Hattiesburg, before District Judge Keith Starrett. NO FURTHER WRITTEN ORDER SHALL ISSUE FROM THE COURT. Signed by District Judge Keith Starrett on March 31, 2011 (dsl) (Entered: 03/31/2011)
04/08/2011	<u>8</u>	Subpoena Returned Executed as to Tony Best. (Owens, Jody) (Entered: 04/08/2011)
04/08/2011	<u>9</u>	MOTION to Dismiss for Lack of Jurisdiction, MOTION to Dismiss <i>for failure to state a claim</i> by Disability Rights Mississippi (Owens, Jody) (Entered: 04/08/2011)
04/08/2011	<u>10</u>	MEMORANDUM in Support re <u>9</u> MOTION to Dismiss for Lack of Jurisdiction MOTION to Dismiss <i>for failure to state a claim</i> filed by Disability Rights Mississippi (Owens, Jody) (Entered: 04/08/2011)
04/11/2011		DOCKET ANNOTATION as to #9, #10: Identification of filer is incomplete; filer's email address is missing. L.U.Civ.R. Rule 11.(a) states that all filed, signed documents must contain counsels name, address, telephone number, fax number, e-mail address and counsels bar membership identification number. Attorney is advised to comply with this requirement in future filings. (LDR) (Entered: 04/11/2011)
04/12/2011	<u>11</u>	AGREED ORDER. The Court retains jurisdiction for the enforcement of this order. A separate judgment shall be entered. Signed by District Judge Keith Starrett on April 12, 2011 (dsl) Modified on 4/12/2011 (dsl). (Entered: 04/12/2011)
04/12/2011		DOCKET ANNOTATION as to #11. Docket entry modified to correct title of document from "Agreed Order of Dismissal" to "Agreed Order." (dsl) (Entered: 04/12/2011)
04/13/2011	<u>12</u>	**ERROR, DISREGARD THIS ENTRY** JUDGMENT, parties have settled the matters pending before this Court; the Court retains jurisdiction over this case for the enforcement of this Judgment. Case is finally closed. Signed by District Judge Keith Starrett on 4/12/11. (LDR) Modified on 4/13/2011 (LDR). (Entered: 04/13/2011)
04/13/2011		TEXT ONLY ORDER SETTING ASIDE JUDGMENT entered on April 13, 2011. Said Judgment was entered through error and inadvertence and should be set aside and held for naught. The Clerk of Court is directed to reopen this case. NO FURTHER WRITTEN ORDER SHALL ISSUE FROM THE COURT. Signed by District Judge Keith Starrett on April 13, 2011 (dsl) (Entered: 04/13/2011)
06/03/2011	<u>13</u>	Emergency MOTION to Stay Case <i>State Court Proceedings Pursuant to 28 U.S.C. 2283</i> by Disability Rights Mississippi (Attachments: # <u>1</u> Exhibit A Forrest County PD Order, # <u>2</u> Exhibit B Stone County PD Order, # <u>3</u> Exhibit C 2 Stone County PD Order, # <u>4</u> Exhibit D George County PD Order, # <u>5</u> Exhibit E Greene County PD Order)(Owens, Jody) (Entered: 06/03/2011)
06/03/2011	<u>14</u>	MEMORANDUM IN SUPPORT re <u>13</u> Emergency MOTION to Stay Case <i>State Court Proceedings Pursuant to 28 U.S.C. 2283</i> filed by Disability Rights Mississippi (Owens, Jody) (Entered: 06/03/2011)
06/06/2011		Minute Entry for proceedings held before District Judge Keith Starrett: Telephone Conference held on 6/6/2011 at the request of the Court. PARTICIPANTS: Jody E. Owens, II on behalf of the Plaintiffs; James K. Dukes, Jr. and David Miller on behalf of the Defendants. (dsl) (Entered: 06/06/2011)
06/09/2011		Minute Entry for proceedings held before District Judge Keith Starrett: Telephone Conference held on 6/9/2011 at the request of Plaintiff's counsel. After talking with the Court it was agreed that counsel for the parties would have another status conference with the Court on Monday, June 13th, if needed. PARTICIPANTS: Jody E. Owens, II on behalf of Plaintiffs; James K. Dukes, Jr. and David Miller on behalf of the Defendants. (dsl) (Entered: 06/09/2011)
06/13/2011	<u>15</u>	ORDER granting <u>13</u> Motion to Stay the enforcement of State Court orders that conflict with orders of this Court. Signed by District Judge Keith Starrett on 6/13/11 (scp) (Entered: 06/13/2011)

07/28/2011	<u>16</u>	MOTION to Withdraw as Attorney by Disability Rights Mississippi (Juneja, Poonam) (Entered: 07/28/2011)
07/28/2011		TEXT ONLY ORDER granting <u>16</u> Motion to Withdraw as Attorney. Attorney Poonam Juneja terminated. No further written order will issue. Signed by Magistrate Judge Michael T. Parker on July 28, 2011 (KPM) (Entered: 07/28/2011)
08/05/2011	<u>17</u>	NOTICE of Appearance by Wendy Wilson White on behalf of Disability Rights Mississippi (White, Wendy) (Entered: 08/05/2011)