

**U.S. District Court  
SOUTHERN DISTRICT OF TEXAS (McAllen)  
CIVIL DOCKET FOR CASE #: 7:08-cv-00038**

United States of America v. State Of Texas et al  
Assigned to: Chief Judge Ricardo H. Hinojosa  
Cause: 28:1331 Fed. Question

Date Filed: 02/01/2008  
Date Terminated: 05/05/2008  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**United States of America**

represented by **Aaron Fleisher**  
US Dept of Justice  
601 D St #5915C  
Washington, DC 20530  
202-307-6457  
Email: [aaron.fleisher@usdoj.gov](mailto:aaron.fleisher@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Shelley Jackson**  
UNITED STATES DEPARTMENT OF  
JUSTICE  
601 D Street W  
Washington, DC 20530  
202-305-3373  
Email: [shelley.jackson@usdoj.gov](mailto:shelley.jackson@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Sheridan Leigh England**  
US Department of Justice  
601 D St # 5027B  
Washington, DC 20530  
202-616-2249  
Email: [sheridan.england@usdoj.gov](mailto:sheridan.england@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Daniel H Weiss**  
U S Dept of Justice  
950 Pennsylvania Ave NW  
Washington, DC 20530  
202-616-6594  
Fax: 202-514-0212  
Email: [Daniel.Weiss@usdoj.gov](mailto:Daniel.Weiss@usdoj.gov)  
**TERMINATED: 05/12/2010**  
**ATTORNEY TO BE NOTICED**

**Keith Edward Wyatt**  
Office of U S Attorney  
P O Box 61129  
Houston, TX 77208  
713-567-9713  
Fax: 713-718-3303  
Email: [keith.wyatt@usdoj.gov](mailto:keith.wyatt@usdoj.gov)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**State Of Texas**

represented by **James C Todd**  
 Office of the Attorney General  
 PO Box 12548  
 Capitol Station  
 Austin, TX 78711-2548  
 512-475-4055  
 Fax: 512-320-0667  
 Email: [jim.todd@oag.state.tx.us](mailto:jim.todd@oag.state.tx.us)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****Texas Youth Commission**

represented by **James C Todd**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****Richard Nedelkoff**

represented by **James C Todd**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****Dimitria D. Pope**

represented by **James C Todd**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****Melody Vidaurri**

represented by **James C Todd**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
02/01/2008	<u>1</u>	COMPLAINT against all defendants filed by UNITED STATES OF AMERICA.(Wyatt, Keith) (Entered: 02/01/2008)
02/01/2008	<u>2</u>	Agreed PROPOSED ORDER, filed.(Wyatt, Keith) (Entered: 02/01/2008)
02/04/2008	<u>3</u>	ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 4/9/2008 at 02:30 PM before Judge Ricardo H. Hinojosa. Parties notified.(bgarcas, ) (Entered: 02/04/2008)
02/14/2008	<u>4</u>	NOTICE of Designation of Attorney in Charge by State Of Texas, Texas Youth Commission, Richard Nedelkoff, Dimitria D. Pope, Melody Vidaurri, filed. (Todd, James) (Entered: 02/14/2008)
02/16/2008	<u>5</u>	Joint MOTION for Entry of Order re: by United States of America, filed. Motion Docket Date 3/7/2008. (Wyatt, Keith) (Entered: 02/16/2008)
02/28/2008	<u>6</u>	NOTICE of Setting. Parties notified. Motion Hearing set for 3/17/2008 at 04:00 PM before Judge Ricardo H. Hinojosa, filed. (bgarcas, ) (Entered: 02/28/2008)
03/11/2008	<u>7</u>	MOTION for Daniel H. Weiss to Appear Pro Hac Vice by United States of America, filed. Motion Docket Date 3/31/2008. (Wyatt, Keith) (Entered: 03/11/2008)
03/14/2008	<u>8</u>	ORDER granting <u>7</u> Motion for Daniel H. Weiss to Appear Pro Hac Vice.( Signed by Judge Ricardo H. Hinojosa ) Parties notified.(mzamarrripa, ) (Entered: 03/26/2008)

03/17/2008		Minute Entry for proceedings held before Judge Ricardo H. Hinojosa. Hearing on Joint Motion for Entry of Proposed Agreed Order held on 3/17/2008. All parties present. The Court GRANTS the Motion to Appear Pro Hac Vice of Mr. Daniel Weiss. After some discussion the parties request from the Court that they continue this discussion at the next scheduled hearing which is 4/9/08 at 2:30 p.m. so that the parties can have some further time to discuss the matters brought up by the Court. The Court instructs the parties to file a motion for continuance of the 4/9/08 hearing if they need additional time for further discussion. Appearances: Daniel Weiss, James C Todd.(ERO: Tony Tijerina), filed.(smartinez, ) (Entered: 03/27/2008)
03/31/2008	<u>9</u>	TRANSCRIPT of HEARING ON JOINT MOTION FOR ENTRY OF PROPOSED AGREED ORDER held on March 17, 2008 before Judge Ricardo H. Hinojosa. ERO: Antonio Tijerina. Transcript is available for viewing in the office of the clerk, filed. (Attachments: # <u>1</u> Continuation) (atijerina, ) (Entered: 04/01/2008)
04/04/2008		ORAL ORDER by Judge Ricardo H. Hinojosa: Initial Pretrial and Scheduling Conference reset for 4/11/2008 at 02:30 PM before Judge Ricardo H. Hinojosa. Parties notified.(mzamarripa, ) (Entered: 04/04/2008)
04/08/2008	<u>10</u>	SUPPLEMENT to <u>5</u> Joint MOTION for Entry of Order re: by United States of America, filed. (Attachments: # <u>1</u> Proposed Order Revised Agreed Order# <u>2</u> Affidavit Declaration of Jon Trzinski# <u>3</u> Exhibit Report and CV of Jon Trzinski# <u>4</u> Affidavit Declaration and CV of Stan DeGerolami)(Weiss, Daniel) (Entered: 04/08/2008)
04/11/2008	<u>11</u>	Amended PROPOSED ORDER re: <u>5</u> Joint MOTION for Entry of Order re:, filed.(Weiss, Daniel) (Entered: 04/11/2008)
04/11/2008		Minute Entry for proceedings held before Judge Ricardo H. Hinojosa. STATUS CONFERENCE held on 4/11/2008. All parties present. The Court has reviewed the agreed order submitted by the parties. After some suggestions, the parties agree and will file a revised agreed order for the Court's consideration. Appearances: James C Todd, Daniel H Weiss.(ERO: Tony Tijerina), filed.(smartinez, ) (Entered: 04/17/2008)
05/05/2008	<u>12</u>	JUDGMENT of the Court. Case terminated on 05/05/2008.(Signed by Judge Ricardo H. Hinojosa) Parties notified.(mzamarripa, ) (Entered: 05/05/2008)
11/05/2008	<u>13</u>	STATUS REPORT by United States of America, filed.(England, Sheridan) (Entered: 11/05/2008)
04/29/2009	<u>14</u>	STATUS REPORT by United States of America, filed.(England, Sheridan) (Entered: 04/29/2009)
04/29/2009	<u>15</u>	NOTICE of Appearance by Aaron Fleisher on behalf of United States of America, filed. (England, Sheridan) (Entered: 04/29/2009)
05/19/2009	<u>16</u>	NOTICE of Setting. Parties notified. Status Conference set for 6/5/2009 at 02:30 PM before Judge Ricardo H. Hinojosa, filed. (bgarces, ) (Entered: 05/19/2009)
10/28/2009	<u>17</u>	NOTICE of Appearance by Charles W. Hart, Jr. on behalf of United States of America, filed. (England, Sheridan) (Entered: 10/28/2009)
10/28/2009	<u>18</u>	NOTICE of Appearance by Winsome G. Gayle on behalf of United States of America, filed. (England, Sheridan) (Entered: 10/28/2009)
11/04/2009	<u>19</u>	STATUS REPORT by United States of America, filed.(England, Sheridan) (Entered: 11/04/2009)
05/05/2010	<u>20</u>	MOTION for Daniel H. Weiss to Withdraw as Attorney by United States of America, filed. Motion Docket Date 5/26/2010. (England, Sheridan) (Entered: 05/05/2010)
05/05/2010	<u>21</u>	STATUS REPORT by United States of America, filed.(England, Sheridan) (Entered: 05/05/2010)

05/06/2010	<u>22</u>	ORDER striking <u>20</u> Motion to Withdraw as Attorney.(Signed by Chief Judge Ricardo H. Hinojosa) Parties notified.(bgarces, ) (Entered: 05/07/2010)
05/11/2010	<u>23</u>	Unopposed MOTION for Daniel H. Weiss to Withdraw as Attorney by United States of America, filed. Motion Docket Date 6/1/2010. (Attachments: # <u>1</u> Proposed Order draft order)(England, Sheridan) (Entered: 05/11/2010)
05/12/2010	<u>24</u>	ORDER granting <u>23</u> Motion to Withdraw as Attorney. Attorney Daniel H Weiss terminated.(Signed by Chief Judge Ricardo H. Hinojosa) Parties notified.(bgarces, ) (Entered: 05/14/2010)
05/24/2010	<u>25</u>	NOTICE of Setting. Parties notified. Status Conference set for 6/23/2010 at 04:00 PM before Chief Judge Ricardo H. Hinojosa, filed. (bgarces, ) (Entered: 05/25/2010)
06/23/2010		Minute Entry for proceedings held before Chief Judge Ricardo H. Hinojosa. STATUS CONFERENCE held on 6/23/2010. All parties present. The Court reviews with counsel the latest compliance report and his concerns regarding the ones listed as partial compliance. The Court instructs counsel to file their report when they need to file it and another Status Conference will be set up after that is done. The Court also instructed counsel to make the facility aware of the concerns the Court had with regards to the partial compliances listed on the report. Appearances: James C Todd, Sheridan Leigh England.(ERO:Tony Tijerina (4:03-4:20), filed.(smartinez, ) (Entered: 06/25/2010)
07/08/2010	<u>26</u>	NOTICE of Appearance by Luis E. Saucedo on behalf of United States of America, filed. (England, Sheridan) (Entered: 07/08/2010)
08/02/2010		AO 435 TRANSCRIPT ORDER FORM by Ayanna Brown. This is to order a transcript of STATUS CONFERENCE held on August 28, 2010 before Chief Judge Ricardo H. Hinojosa (original). Court Reporter/Transcriber: Exceptional Reporting, filed. (atijerina, ) (Entered: 08/13/2010)
09/15/2010	<u>27</u>	TRANSCRIPT re: STATUS CONFERENCE held on 6/23/10 before Chief Judge Ricardo H. Hinojosa. Court Reporter/Transcriber EXCEPTIONAL REPORTING. Release of Transcript Restriction set for 12/14/2010., filed. (thudson, ) (Entered: 09/15/2010)
09/15/2010	<u>28</u>	Notice of Filing of Official Transcript as to <u>27</u> Transcript. Party notified, filed. (atijerina, ) (Entered: 09/23/2010)
11/01/2010	<u>29</u>	NOTICE of Appearance by Shelley Jackson on behalf of United States of America, filed. (England, Sheridan) (Entered: 11/01/2010)
11/02/2010	<u>30</u>	NOTICE <i>Vacation Letter</i> by Texas Youth Commission, filed. (Todd, James) (Entered: 11/02/2010)
11/05/2010	<u>31</u>	STATUS REPORT by United States of America, filed.(England, Sheridan) (Entered: 11/05/2010)
11/16/2010	<u>32</u>	RESPONSE to <i>United States' Fifth Compliance Report</i> , filed by Dimitria D. Pope, Melody Vidaurri, Richard Nedelkoff, State Of Texas, Texas Youth Commission. (Todd, James) (Entered: 11/16/2010)
02/22/2011		ORAL ORDER Status Conference set for 3/30/2011 at 04:00 PM before Chief Judge Ricardo H. Hinojosa.(by Chief Judge Ricardo H. Hinojosa) Parties notified.(klopez, ) (Entered: 02/22/2011)
03/24/2011	<u>33</u>	MOTION for Shelley R. Jackson to Appear Pro Hac Vice by United States of America, filed. Motion Docket Date 4/14/2011. (Jackson, Shelley) (Entered: 03/24/2011)
03/25/2011	<u>34</u>	ORDER granting <u>33</u> Motion for Shelley R Jackson to Appear Pro Hac Vice.(Signed by Chief Judge Ricardo H. Hinojosa) Parties notified.(bgarces, ) (Entered: 03/28/2011)
03/28/2011		ORAL ORDER by Chief Judge Ricardo H. Hinojosa: Status Conference reset for 4/27/2011 at 04:00 PM before Chief Judge Ricardo H. Hinojosa. Parties notified.(bgarces, ) (Entered: 03/28/2011)

04/25/2011		ORAL ORDER by Chief Judge Ricardo H. Hinojosa: Status Conference set for 4/27/11 is cancelled until further notice. Parties notified.(bgarces, ) (Entered: 04/25/2011)
05/05/2011	<u>35</u>	<i>Compliance Report</i> by United States of America, filed.(Jackson, Shelley) (Entered: 05/05/2011)