

CLOSED, JURY, PRD, REFER

**U.S. District Court
Eastern District of Arkansas (Batesville)
CIVIL DOCKET FOR CASE #: 1:04-cv-00037-JMM**

Nelson v. Correctional Med Svc, et al
Assigned to: Judge James M. Moody
Demand: \$0
Case in other court: USCA8, 07-02481
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 04/15/2004
Date Terminated: 07/16/2010
Jury Demand: Plaintiff
Nature of Suit: 555 Prison Condition: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Shawanna Nelson

represented by **Cathleen V. Compton**
Arkansas Attorney General's Office
Catlett-Prien Tower Building
323 Center Street
Suite 200
Little Rock, AR 72201-2610
501-682-2007
Fax: (501) 374-5118
Email: vicki@cathicomptonlaw.com
TERMINATED: 11/04/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Eileen Woods Harrison
Arkansas Attorney General's Office
Catlett-Prien Tower Building
323 Center Street
Suite 200
Little Rock, AR 72201-2610
501-682-8112
Email: Eileen.Harrison@arkansasag.gov
TERMINATED: 05/18/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul J. James
James, Carter & Coulter, P.L.C.
Post Office Box 907
Little Rock, AR 72203
(501) 372-1414
Email: pjj@jamescarterlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Correctional Medical Services
TERMINATED: 06/11/2007

represented by **Alan R. Humphries**
Humphries & Lewis
Post Office Box 20670
White Hall, AR 71612
(870) 247-7035
Email: ahumphries1@sbcglobal.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

represented by

Max Mobley
Doctor
TERMINATED: 06/11/2007

Christine A. Cryer
Arkansas Attorney General's Office
Catlett–Prien Tower Building
323 Center Street
Suite 200
Little Rock, AR 72201–2610
(501) 683–0958
Email: Christine.cryer@arkansasag.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Jane Does
Nurses for CMS
TERMINATED: 01/31/2005

represented by **Alan R. Humphries**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Larry Norris
Director of the ADC
TERMINATED: 11/19/2009

represented by **Chilesa Jones Ready**
Arkansas Attorney General's Office
Catlett–Prien Tower Building
323 Center Street
Suite 200
Little Rock, AR 72201–2610
(501) 682–1315
TERMINATED: 02/07/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christine A. Cryer
(See above for address)
TERMINATED: 11/19/2009
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Patricia Turnesky
Officer, (originally sued as Turenski)

represented by **Chilesa Jones Ready**
(See above for address)
TERMINATED: 02/07/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Christine A. Cryer
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Scott P. Richardson
Arkansas Attorney General's Office
Catlett–Prien Tower Building
323 Center Street
Suite 200
Little Rock, AR 72201–2610
501–682–2007
Email: scott.richardson@arkansasag.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Mary Matthews
TERMINATED: 01/10/2006

represented by **Alan R. Humphries**
(See above for address)
TERMINATED: 01/10/2006

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
04/15/2004	<u>1</u>	COMPLAINT with jury demand; summons issued and returned to Attorney; \$150.00 filing fee paid, receipt #113485 (former empl) (Entered: 04/15/2004)
05/10/2004	<u>2</u>	MOTION by defendant to dismiss (vjt) (Entered: 05/10/2004)
05/10/2004	<u>3</u>	BRIEF by defendant in support of motion to dismiss [2-1] (vjt) (Entered: 05/10/2004)
05/13/2004	<u>4</u>	ATTORNEY APPEARANCE by Eileen Harrison for pltf (vjt) (Entered: 05/14/2004)
05/14/2004	<u>5</u>	MOTION by pltf for extension of time to respond to motion to dismiss (vjt) (Entered: 05/14/2004)
05/19/2004	<u>6</u>	ORDER (DOC); that this case is reassigned to Judge James M. Moody and referred to Mag. Judge Jerry W. Cavaneau (cc: all counsel) (vjt) (Entered: 05/19/2004)
05/25/2004	<u>7</u>	ORDER by Mag. Judge Jerry W. Cavaneau granting motion for extension of time to respond to motion to dismiss [5-1] [2-1] until 6/1/04 (cc: all counsel) (tjj) (Entered: 05/26/2004)
06/01/2004	<u>8</u>	RESPONSE by plaintiff to motion to dismiss [2-1] (tjj) (Entered: 06/02/2004)
06/01/2004	<u>9</u>	MEMORANDUM BRIEF by plaintiff in support of motion response [8-1] (tjj) (Entered: 06/02/2004)
06/01/2004	<u>10</u>	AMENDED complaint [1-1] by plaintiff with jury demand; adding Max Mobley, Jane Does, Larry Norris and Turenski (tjj) (Entered: 06/02/2004)
06/10/2004	<u>11</u>	ANSWER TO FIRST AMENDED COMPLAINT by Correctional Med Svc (tjj) (Entered: 06/10/2004)
07/28/2004	<u>12</u>	ORDER by Mag. Judge Jerry W. Cavaneau service is now appropriate for debts Mobley, Norris and Turenski; because the \$150.00 statutory filing fee has been paid in full, pltf's counsel may now proceed to effect service on these debts; should debts subsequently need copies of other filed documents they are available either from the Clerk's office or counsel for debts Mobley, Norris and Turenski may access the PACER system for the USDC to obtain copies of the same; additionally in her amended complaint pltf has named as debts "Jane Does Nurses for CMS"; pltf's counsel should attempt to determine the identity of these debts through the use of discovery; if no motion to amend or join the identified parties as debts is made within 120 days subject to extension the Jane Doe debts will be dismissed (cc: all counsel) (tjj) (Entered: 07/29/2004)
08/09/2004	<u>13</u>	ANSWER by debts Larry Norris and Turenski (tjj) Modified on 08/18/2004 (Entered: 08/10/2004)
08/13/2004	<u>14</u>	ORDER by Mag. Judge Jerry W. Cavaneau debt Patricia Turnesky has supplied her correct or complete name; the Clerk is directed to change the style of the case to correct the name of the debt (cc: all counsel) (tjj) (Entered: 08/16/2004)
01/14/2005	<u>15</u>	Partial Recommended Disposition by Mag. Judge Jerry W. Cavaneau recommending debt CMS' motion to dismiss [2-1] be denied; pltf's claims against debts "Jane Does Nurses for CMS" should be dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m); the portion of pltf's request for permanent injunction prohibiting further retaliation from debt Turnesky should be held moot; pltf's case should be permitted to proceed against debts CMS, Mobley, Norris and Turnesky (tjj) (Entered: 01/18/2005)
01/20/2005	<u>16</u>	MOTION by debts Larry Norris and Patricia Turnesky to substitute attorney Christine A. Cryer in place of Chilesa Jones (tjj) (Entered: 01/21/2005)

01/31/2005	<u>17</u>	ORDER by Judge James M. Moody adopting in their entirety as this Court's findings Mag Judge Cavaneau's Findings and Recommended Partial Disposition [15-1]; deft CMS motion to dismiss is denied [2-1]; pltf's claims against defts' Jane Does Nurses for CMS are dismissed w/o prejudice; the portion of pltf's request for permanent injunction prohibiting further retaliation from deft Turnesky is moot; pltf's case shall proceed against defts CMS, Mobley, Norris & Turnesky (cc: all counsel) (rjh) (Entered: 01/31/2005)
02/07/2005	<u>18</u>	ANSWER by defendant Correctional Med Svc to amended complaint (bmt) (Entered: 02/07/2005)
02/07/2005	<u>19</u>	ANSWER TO FIRST AMENDED COMPLAINT by separate defendants Larry Norris and Patricia Turnesky (bkj) (Entered: 02/08/2005)
02/07/2005	<u>20</u>	ORDER by Mag. Judge Jerry W. Cavaneau granting motion to substitute attorney Christine A. Cryer in place of Chilesa Jones Ready [16-1] (cc: all counsel) (bmt) (Entered: 02/08/2005)
02/23/2005		SUMMONS re-issued on Mary Mathews (bkp) (Entered: 02/24/2005)
02/28/2005	<u>21</u>	ANSWER by Mary Matthews to First Amended Complaint (bkp) (Entered: 03/01/2005)
04/25/2005	<u>22</u>	ORDER by Mag. Judge Jerry W. Cavaneau that counsel are directed to immediately provide proof of service on deft Mobley with the Court w/in 10 days of this order's entry date, or it will be recommended that deft Mobley be dismissed (cc: all counsel) (bmt) (Entered: 04/26/2005)
04/28/2005		SUMMONS issued as to Max Mobley (tjj) (Entered: 04/28/2005)
05/03/2005	<u>23</u>	RETURN OF SERVICE executed upon defendant Max Mobley on 4/28/05 (bkp) (Entered: 05/04/2005)
05/10/2005	<u>24</u>	MOTION by separate deft Max Mobley to dismiss (vjt) (Entered: 05/12/2005)
05/10/2005	<u>25</u>	BRIEF by deft Max Mobley in support of motion to dismiss [24-1] (vjt) (Entered: 05/12/2005)
05/13/2005	<u>26</u>	MOTION by plaintiff to withdraw attorney Eileen Woods Harrison (bkp) (Entered: 05/16/2005)
05/16/2005	<u>27</u>	MOTION by plaintiff to extend time to respond to motion to dismiss (bkp) (Entered: 05/17/2005)
05/18/2005	<u>28</u>	ORDER by Mag. Judge Jerry W. Cavaneau granting motion to withdraw attorney Eileen Woods Harrison [26-1] for Shawanna Nelson (cc: all counsel) (bkp) (Entered: 05/18/2005)
05/26/2005	<u>29</u>	ORDER by Mag. Judge Jerry W. Cavaneau granting motion to extend time to respond to motion to dismiss for 30 days from the date of this order [27-1] (cc: counsel) (bkp) (Entered: 05/27/2005)
05/26/2005		Docket Modification (Utility Event) resp to motion to dismiss is due w/in 30 days from date of order [24-1] [29-1] (bmt) (Entered: 06/15/2005)
06/16/2005	<u>30</u>	RESPONSE by plaintiff Shawanna Nelson to separate deft Max Mobley's motion to dismiss [24-1] (rjh) (Entered: 06/16/2005)
07/21/2005		MOTIONS <u>24</u> Motion to Dismiss REFERRED to Magistrate Judge (conversion repair) (mar) (Entered: 07/21/2005)
07/21/2005		Utility Event referring motions to Magistrate Judge (CM/ECF conversion). (mar,) (Entered: 07/21/2005)
01/04/2006	<u>31</u>	PROPOSED FINDINGS AND RECOMMENDED PARTIAL DISPOSITION that deft Mobley's motion to dismiss <u>24</u> be denied on all grounds; Objections to RR due by 1/17/2006. Signed by Judge Jerry W. Cavaneau on 1/4/06. (vjt) (Entered: 01/04/2006)

01/09/2006	<u>32</u>	MOTION to Dismiss <i>PARTY DEFENDANT MARY MATTHEWS</i> by Shawanna Nelson. (Compton, Cathleen) (Entered: 01/09/2006)
01/10/2006	<u>33</u>	ORDER granting pltf's <u>32</u> Motion to Dismiss party deflt Mary Matthews. Signed by Judge James M Moody on 1/10/06. (tlw) (Entered: 01/10/2006)
01/10/2006		*** Party deflt Mary Matthews terminated. (tlw) (Entered: 01/10/2006)
01/20/2006	<u>34</u>	ORDER ADOPTING <u>31</u> Partial Report and Recommendations that the motion to dismiss filed by deflt. Mobley is denied. Signed by Judge James M Moody on 1/20/06. (bkp,) (Entered: 01/20/2006)
01/23/2006	<u>35</u>	ANSWER to Amended Complaint by Max Mobley.(Cryer, Christine) (Entered: 01/23/2006)
01/27/2006	<u>36</u>	MEMO TO FILE by Judge Jerry W. Cavaneau that this case is ready to be set for trial. (vjt) (Entered: 01/27/2006)
03/12/2006	<u>37</u>	SCHEDULING ORDER: Jury Trial set for 9/11/2006 at 9:15 AM in Batesville Courtroom # 252 before Judge James M. Moody. Discovery due by 7/13/2006. Motions due by 7/24/2006. Joinder of Parties due by 6/13/2006. Pretrial Disclosure Sheet due by 8/22/2006. Signed At the Direction of the Court by Marge Higginbotham on 3/12/06. (mah) (Entered: 03/12/2006)
03/13/2006	<u>38</u>	MOTION to Continue by Correctional Medical Services. (Humphries, Alan) (Entered: 03/13/2006)
06/20/2006	<u>39</u>	RESPONSE to Motion re <u>38</u> MOTION to Continue <i>trial date</i> filed by Shawanna Nelson. (Compton, Cathleen) (Entered: 06/20/2006)
06/21/2006	<u>40</u>	Deficiency Letter from Clerk of Court notifying party that <u>39</u> Response to Motion for Continuance lacks a signature (General Order 53). (thd) (Entered: 06/21/2006)
06/29/2006	<u>41</u>	RESPONSE to Motion re <u>38</u> MOTION to Continue filed by Shawanna Nelson. (Compton, Cathleen) (Entered: 06/29/2006)
07/17/2006	<u>42</u>	SCHEDULING ORDER (DOC): Motions terminated: <u>38</u> MOTION to Continue filed by Correctional Medical Services. Jury Trial rescheduled for 1/22/2007 at 9:15 AM in Batesville Courtroom #252 before Judge James M. Moody. Discovery due by 10/30/2006; Motions due by 11/22/2006; Pretrial Disclosure Sheet due by 12/22/2006; Amended Pleadings due by 9/29/2006; Status Report due by 11/22/2006. Signed by D. Jackson at the Direction of the Court on 07/17/06. (dmj) (Entered: 07/17/2006)
11/21/2006	<u>43</u>	MOTION for Summary Judgment by Correctional Medical Services. (Attachments: # <u>1</u> # <u>2</u>)(Humphries, Alan) (Entered: 11/21/2006)
11/21/2006	<u>44</u>	BRIEF IN SUPPORT filed by Correctional Medical Services re <u>43</u> Motion for Summary Judgment. (Humphries, Alan) (Entered: 11/21/2006)
11/21/2006	<u>45</u>	STATEMENT OF FACTS (Local Rule 56.1) re <u>44</u> Brief in Support, <u>43</u> Motion for Summary Judgment filed by Correctional Medical Services. (Humphries, Alan) (Entered: 11/21/2006)
11/21/2006	<u>46</u>	STATUS REPORT by Correctional Medical Services. (Humphries, Alan) (Entered: 11/21/2006)
11/22/2006	<u>47</u>	MOTION for Extension of Time to File Response/Reply as to <u>43</u> MOTION for Summary Judgment by Shawanna Nelson. (Compton, Cathleen) (Entered: 11/22/2006)
11/22/2006	<u>48</u>	STATUS REPORT by Shawanna Nelson. (Compton, Cathleen) (Entered: 11/22/2006)
11/22/2006	<u>49</u>	MOTION for Summary Judgment by Max Mobley, Larry Norris, Patricia Turnesky. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F# <u>7</u> Exhibit G# <u>8</u> Exhibit H# <u>9</u> Exhibit I# <u>10</u> Exhibit J# <u>11</u> Exhibit K# <u>12</u> Exhibit L# <u>13</u> Exhibit M# <u>14</u> Exhibit N# <u>15</u> Exhibit O# <u>16</u> Exhibit P# <u>17</u> Exhibit Q)(Boozar, Christine) (Entered: 11/22/2006)

11/22/2006	<u>50</u>	BRIEF IN SUPPORT filed by Max Mobley, Larry Norris, Patricia Turnesky re <u>49</u> Motion for Summary Judgment,. (Boozer, Christine) (Entered: 11/22/2006)
11/22/2006	<u>51</u>	STATEMENT OF FACTS (Local Rule 56.1) re <u>49</u> Motion for Summary Judgment,, <u>50</u> Brief in Support filed by Max Mobley, Larry Norris, Patricia Turnesky. (Boozer, Christine) (Entered: 11/22/2006)
11/22/2006	<u>52</u>	STATUS REPORT by Max Mobley, Larry Norris, Patricia Turnesky. (Boozer, Christine) (Entered: 11/22/2006)
11/29/2006	<u>53</u>	MOTION for Extension of Time to File Response/Reply as to <u>49</u> MOTION for Summary Judgment by Shawanna Nelson. (Compton, Cathleen) (Entered: 11/29/2006)
11/29/2006	<u>54</u>	ORDER granting <u>47</u> <u>53</u> Motions for Extension of Time to File Response re <u>43</u> <u>49</u> Motions for Summary Judgment. Plaintiff is granted until 12/18/06 in which to file her responses to the motions for summary judgment. Signed by Judge Jerry W. Cavaneau on 11/29/06. (bmt) (Entered: 11/29/2006)
12/05/2006	<u>55</u>	MOTION for Order <i>To Make One Consolidated Brief in Response</i> by Shawanna Nelson. (Compton, Cathleen) (Entered: 12/05/2006)
12/05/2006	<u>56</u>	RESPONSE to Motion re <u>55</u> MOTION for Order <i>To Make One Consolidated Brief in Response</i> filed by Max Mobley, Larry Norris, Patricia Turnesky. (Boozer, Christine) (Entered: 12/05/2006)
12/05/2006	<u>57</u>	RESPONSE to Motion re <u>55</u> MOTION for Order <i>To Make One Consolidated Brief in Response</i> filed by Correctional Medical Services. (Humphries, Alan) (Entered: 12/05/2006)
12/05/2006	<u>58</u>	SCHEDULING ORDER: Jury Trial scheduled 1/22/07 is reset for 7/30/2007 at 9:15 AM in Batesville Courtroom #252 before Judge James M. Moody. Signed by D. Jackson at the Direction of the Court on 12/5/06. (dmj) (Entered: 12/05/2006)
12/13/2006	<u>59</u>	Second MOTION for Extension of Time to File Response/Reply as to <u>43</u> MOTION for Summary Judgment, <u>49</u> MOTION for Summary Judgment by Shawanna Nelson. (Compton, Cathleen) (Entered: 12/13/2006)
12/13/2006	<u>60</u>	ORDER granting pltf's motion <u>55</u> ; pltf is directed to file separate responses to each summary judgment motion but file a consolidated brief as long as the brief address each issue raised as to each deft named. Signed by Judge Jerry W. Cavaneau on 12/13/06. (vjt) (Entered: 12/13/2006)
12/18/2006	<u>61</u>	ORDER granting pltf's motion <u>59</u> for extension of time, for an additional twenty days, to respond to defts' motions <u>43</u> <u>49</u> for summary judgment. Signed by Judge Jerry W. Cavaneau on 12/18/06. (vjt) (Entered: 12/18/2006)
01/04/2007	<u>62</u>	RESPONSE to Motion re <u>49</u> MOTION for Summary Judgment filed by Shawanna Nelson. (Compton, Cathleen) (Entered: 01/04/2007)
01/04/2007	<u>63</u>	RESPONSE to Motion re <u>43</u> MOTION for Summary Judgment <i>by CMS</i> filed by Shawanna Nelson. (Compton, Cathleen) (Entered: 01/04/2007)
01/04/2007	<u>64</u>	BRIEF IN SUPPORT filed by Shawanna Nelson re <u>62</u> Response to Motion, <u>63</u> Response to Motion. (Attachments: # <u>1</u> Document Matthews depo# <u>2</u> Document Smith depo# <u>3</u> Document Turenky depo# <u>4</u> Document Nelson depo# <u>5</u> Document Frazier Affidavit# <u>6</u> Document Order# <u>7</u> Document Order# <u>8</u> Document Agreement# <u>9</u> Document Mobley depo# <u>10</u> Document Norris depo)(Compton, Cathleen) (Entered: 01/04/2007)
01/08/2007	<u>65</u>	REPLY re <u>64</u> Brief in Support, <i>Reply Brief</i> by Correctional Medical Services. (Humphries, Alan) (Entered: 01/08/2007)
01/08/2007	<u>66</u>	REPLY re <u>64</u> Brief in Support, by Max Mobley, Larry Norris, Patricia Turnesky. (Boozer, Christine) (Entered: 01/08/2007)
04/24/2007	<u>67</u>	MOTION to Deem Admitted <i>ADC Defendants Statement of Facts</i> by Max Mobley, Larry Norris, Patricia Turnesky (Boozer, Christine) (Entered: 04/24/2007)

		COURT OF APPEALS CLERK'S OFFICE). (dac) (Entered: 06/22/2007)
06/22/2007		*** COA BATCH RECEIPT of Notice of Appeal and related supporting documents sent on: Fri Jun 22 15:50:11 CDT 2007 (COA2,) (Entered: 06/22/2007)
06/25/2007	<u>77</u>	USCA Appeal Fees received \$ 455 receipt number LIT006589 re <u>75</u> Notice of Interlocutory Appeal filed by Larry Norris, Patricia Turnesky (dac) (Entered: 06/26/2007)
06/26/2007		*** COA BATCH RECEIPT of \$455 Appellate Filing Fees Payment re. Notice of Appeal and related supporting documents sent on: Tue Jun 26 15:09:57 CDT 2007 (Collins, Doris) (Entered: 06/26/2007)
06/27/2007	<u>78</u>	USCA Docketing Letter as to <u>75</u> Notice of Interlocutory Appeal filed by Larry Norris, Patricia Turnesky. USCA Case Number 07-2481 (dac) (Entered: 06/27/2007)
07/05/2007	<u>79</u>	ORDER canceling the jury trial scheduled July 30, 2007, pending the outcome of the interlocutory appeal. Signed by Judge James M. Moody on 7/5/07. (dmj) (Entered: 07/05/2007)
07/18/2008	<u>80</u>	OPINION of USCA as to <u>75</u> Notice of Interlocutory Appeal filed by Larry Norris, Patricia Turnesky (dac) (Entered: 07/18/2008)
07/18/2008	<u>81</u>	USCA JUDGMENT as to <u>75</u> Notice of Interlocutory Appeal filed by Larry Norris, Patricia Turnesky. Judgment of the district court is reversed and the cause is remanded to the district court for proceedings consistent with the opinion of this court (dac) (Entered: 07/18/2008)
08/28/2008	<u>82</u>	ORDER of USCA, plaintiff-appellee's petition for rehearing en banc is granted. The opinion and judgment of this Court filed on July 18, 2008, are vacated as to <u>75</u> Notice of Interlocutory Appeal filed by Larry Norris, Patricia Turnesky (dac) (Entered: 08/28/2008)
10/02/2009	<u>83</u>	OPINION of USCA judgment of the district court denying summary judgment based on qualified immunity to Officer Turensky is affirmed but its judgment denying summary judgment based on qualified immunity to Director Norris is reversed. The case is remanded to the district court for entry of judgment in favor of Director Norris and for trial of the Eighth Amendment issues raised by Shawanna Nelson against Officer Turensky. as to <u>75</u> Notice of Interlocutory Appeal filed by Larry Norris, Patricia Turnesky (dac) (Entered: 10/02/2009)
10/02/2009	<u>84</u>	USCA JUDGMENT as to <u>75</u> Notice of Interlocutory Appeal filed by Larry Norris, Patricia Turnesky. Judgment of the district court in this cause is affirmed in part, reversed in part, and remanded to the district court for proceedings consistent with the opinion of this court. (dac) (Entered: 10/02/2009)
10/23/2009	<u>85</u>	MANDATE of USCA In accordance with the opinion and judgment of 10/02/2009, as to <u>75</u> Notice of Interlocutory Appeal filed by Larry Norris, Patricia Turnesky (dac) (Entered: 10/23/2009)
10/30/2009	<u>86</u>	MOTION to Withdraw as Attorney by Shawanna Nelson (Compton, Cathleen) (Entered: 10/30/2009)
11/01/2009	<u>87</u>	MOTION to Substitute Attorney by Shawanna Nelson (Compton, Cathleen) (Entered: 11/01/2009)
11/04/2009	<u>88</u>	ORDER granting motion <u>86</u> for Cathleen V. Compton to withdraw as counsel for pltf, and <u>87</u> motion to substitute Paul James as counsel of record for pltf in place of Cathleen V. Compton; Paul James is directed to file an entry of appearance in this matter within five days of the entry of this Order. Signed by Magistrate Judge Jerry W. Cavaneau on 11/4/09. (vjt) (Entered: 11/04/2009)
11/05/2009	<u>89</u>	NOTICE of Appearance by Paul J. James on behalf of Shawanna Nelson (James, Paul) (Entered: 11/05/2009)
11/19/2009	<u>90</u>	JUDGMENT pursuant to <u>85</u> USCA Mandate of 10/23/09, judgment is hereby entered in favor of Larry Norris, Director of the ADC. Signed by Judge James M. Moody on 11/19/09. (vjt) (Entered: 11/19/2009)

02/17/2010	<u>91</u>	SCHEDULING ORDER: Jury Trial is set sometime during the week of 6/7/2010 at 9:15 AM in Batesville Courtroom # 252 before Judge James M. Moody. Pretrial Disclosure Sheet due by 5/7/2010. Status Report due by 4/8/2010. Signed by D. Jackson at the Direction of the Court on 2/17/2010. (dmj) (Entered: 02/17/2010)
04/08/2010	<u>92</u>	STATUS REPORT by Shawanna Nelson. (James, Paul) (Entered: 04/08/2010)
04/08/2010	<u>93</u>	STATUS REPORT by Patricia Turnesky. (Cryer, Christine) (Entered: 04/08/2010)
04/13/2010	<u>94</u>	MOTION for Leave to File <i>Second Amended Complaint</i> by Shawanna Nelson (Attachments: # <u>1</u> Exhibit Second Amended Complaint)(James, Paul) (Entered: 04/13/2010)
05/03/2010	<u>95</u>	ORDER granting pltf's <u>94</u> Motion for Leave to File a Second Amended Complaint; pltf is directed to file her second amended complaint within 7 days of entry of this Order. Signed by Magistrate Judge Jerry W. Cavaneau on 5/3/10. (vjt) (Entered: 05/04/2010)
05/05/2010	<u>96</u>	AMENDED COMPLAINT against Patricia Turnesky, filed by Shawanna Nelson(James, Paul) (Entered: 05/05/2010)
05/10/2010	<u>97</u>	SCHEDULING ORDER: Due to a conflict with the Court's schedule, the Jury Trial is reset for 7/14/2010 9:15 AM in Batesville Courtroom # 252 before Judge James M. Moody. Pretrial Disclosure Sheet due by 6/14/2010. Status Report due by 5/26/2010. Pretrial Conference set for 7/14/2010 8:30 AM in Batesville Courtroom # 252 before Judge James M. Moody. Signed by D. Jackson at the Direction of the Court on 5/10/2010. (dmj) (Docket text modified on 5/12/2010 to correct the Status Report deadline.) (thd). (Entered: 05/10/2010)
05/12/2010		NOTICE OF DOCKET CORRECTION re: <u>97</u> Scheduling Order. CORRECTION: The docket text was modified to correct the Status Report deadline to 5/26/2010, as stated in the Order. (thd) (Entered: 05/12/2010)
05/17/2010	<u>98</u>	ANSWER to <u>96</u> Amended Complaint by Patricia Turnesky.(Cryer, Christine) (Entered: 05/17/2010)
06/14/2010	<u>99</u>	PRETRIAL DISCLOSURE SHEET by Patricia Turnesky. (Cryer, Christine) (Entered: 06/14/2010)
06/15/2010	<u>100</u>	PRETRIAL DISCLOSURE SHEET by Shawanna Nelson. (James, Paul) (Entered: 06/15/2010)
06/23/2010	<u>101</u>	MOTION to Extend Time by Shawanna Nelson (James, Paul) (Entered: 06/23/2010)
06/24/2010	<u>102</u>	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) ORDER granting <u>101</u> Motion to Extend Time. The parties may submit trial briefs, jury instructions and file motions in limine no later than 7/6/2010. Signed by Judge James M. Moody on 6/24/2010. (dmj) (Entered: 06/24/2010)
07/08/2010	<u>103</u>	MOTION in Limine by Shawanna Nelson (James, Paul) (Entered: 07/08/2010)
07/08/2010	<u>104</u>	MOTION in Limine by Patricia Turnesky (Cryer, Christine) (Entered: 07/08/2010)
07/08/2010	<u>105</u>	BRIEF IN SUPPORT filed by Patricia Turnesky re <u>104</u> Motion in Limine (Cryer, Christine) (Entered: 07/08/2010)
07/12/2010	<u>106</u>	RESPONSE to Motion re <u>103</u> MOTION in Limine filed by Patricia Turnesky. (Cryer, Christine) (Entered: 07/12/2010)
07/14/2010		(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) JURY TRIAL BEGUN before Judge James M. Moody in Batesville on 7/14/2010. Twelve jurors seated and sworn. Plaintiff completes her proof. Defendant's proof begins. Court to resume at 9:00 a.m., 7/15/2010. Paul James present for Plaintiff. Christine Cryer and Scott Richardson present for Defendant. Court Reporter – Elaine Hinson (dmj) (Entered: 07/18/2010)
07/15/2010	<u>107</u>	ORDER granting in part and denying in part <u>103</u> <u>104</u> Motions in Limine and dismissing as moot in part. Signed by Judge James M. Moody on 7/15/10. (bkp) (Entered: 07/15/2010)

07/15/2010	<u>108</u>	SECOND AND FINAL DAY OF JURY TRIAL held before Judge James M. Moody in Batesville on 7/15/2010. Jury retires for deliberation at 1:22 p.m. and returns with a verdict for Plaintiff at 5:17 p.m. Exhibits returned to counsel. Court Reporter – Elaine Hinson (Attachments: # <u>1</u> Plaintiff's exhibit list, # <u>2</u> Defendant's exhibit list, # <u>3</u> Notes from jurors) (dmj) (Entered: 07/18/2010)
07/15/2010	<u>109</u>	JURY VERDICT finding for Plaintiff and awarding damages in the amount of \$1.00. (dmj) (Entered: 07/18/2010)
07/15/2010	<u>110</u>	Proffered Jury Instructions A &B by Shawanna Nelson(dmj) (Entered: 07/18/2010)
07/15/2010	<u>111</u>	Proffered Jury Instruction A by Patricia Turnesky (dmj) (Entered: 07/18/2010)
07/15/2010	<u>112</u>	Jury Instructions (dmj) (Entered: 07/18/2010)
07/16/2010	<u>113</u>	JUDGMENT in favor of Shawanna Nelson against Patricia Turnesky re <u>109</u> Jury Verdict. Signed by Judge James M. Moody on 7/16/10. (bkp) (Entered: 07/19/2010)
07/29/2010	<u>114</u>	Joint MOTION to Extend Time by Shawanna Nelson (James, Paul) (Entered: 07/29/2010)
07/30/2010	115	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) ORDER granting <u>114</u> Motion to Extend Time. The deadline to file a motion for attorneys fees and costs is hereby extended up to and including August 6, 2010. Signed by Judge James M. Moody on 7/30/10. (amr) (Entered: 07/30/2010)
08/06/2010	116	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) ORDER on oral motion. The deadline to file a motion for attorneys fees and costs is hereby extended up to and including August 13, 2010.. Signed by Judge James M. Moody on 8/6/10. (amr) (Entered: 08/06/2010)
08/12/2010	<u>117</u>	MOTION for Extension of Time to File <i>Notice of Appeal</i> by Patricia Turnesky (Cryer, Christine) (Entered: 08/12/2010)
08/13/2010	<u>118</u>	ORDER granting <u>117</u> Motion for Extension of Time to File notice of appeal up to and including September 13, 2010. Signed by Judge James M. Moody on 8/13/10. (bkp) (Entered: 08/13/2010)
08/13/2010	<u>119</u>	MOTION for Attorney Fees by Shawanna Nelson (Attachments: # <u>1</u> Exhibit Paul J. James' Fees and Costs, # <u>2</u> Exhibit Cathleen V. Compton's Fees and Costs, # <u>3</u> Exhibit Elizabeth Alexander's Fees and Costs, # <u>4</u> Exhibit Holly Dickson's Fees and Costs, # <u>5</u> Exhibit Paul J. James' Declaration, # <u>6</u> Exhibit Cathleen V. Compton's Declaration, # <u>7</u> Exhibit Elizabeth Alexander's Declaration and Curriculum Vitae, # <u>8</u> Exhibit Holly Dickson's Declaration, # <u>9</u> Exhibit Austin Porter's Affidavit, # <u>10</u> Exhibit JoAnn Maxey's Affidavit, # <u>11</u> Exhibit Leon Marks' Affidavit, # <u>12</u> Exhibit John L. Burnett's Affidavit)(James, Paul) (Entered: 08/13/2010)
08/13/2010	<u>120</u>	BRIEF IN SUPPORT filed by Shawanna Nelson re <u>119</u> Motion for Attorney Fees,, (James, Paul) (Entered: 08/13/2010)
08/22/2010	<u>121</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>120</u> Brief in Support, <u>119</u> MOTION for Attorney Fees by Patricia Turnesky (Cryer, Christine) (Entered: 08/22/2010)
08/23/2010	122	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) ORDER granting <u>121</u> Motion for Extension of Time to File Response to the Motion for Attorneys fees. Response due by 9/3/2010. Signed by Judge James M. Moody on 8/23/2010. (sjh) (Entered: 08/23/2010)
09/03/2010	<u>123</u>	RESPONSE to Motion re <u>119</u> MOTION for Attorney Fees filed by Patricia Turnesky. (Cryer, Christine) (Entered: 09/03/2010)
09/08/2010	<u>124</u>	MOTION for Leave to File <i>Reply to Defendant Patricia Turenky's Response to Plaintiff's Application for Attorneys' Fees</i> by Shawanna Nelson (James, Paul) (Entered: 09/08/2010)

09/09/2010	<u>125</u>	(This is a TEXT ENTRY ONLY. There is no pdf document associated with this entry.) ORDER granting <u>124</u> unopposed Motion for Leave to File Reply to Defendant's Response to Plaintiff's Application for Attorneys' Fees. Plaintiff shall file the reply brief by 5:00 p.m. on Friday, September 10, 2010. Signed by Judge James M. Moody on 9/9/10. (dbg) (Entered: 09/09/2010)
09/10/2010	<u>126</u>	REPLY to Response to Motion re <u>119</u> MOTION for Attorney Fees filed by Shawanna Nelson. (Attachments: # <u>1</u> Exhibit Deposition Excerpt of Max Mobley)(James, Paul) (Entered: 09/10/2010)
09/13/2010	<u>127</u>	ORDER granting in part and denying in part <u>119</u> Motion for Attorney Fees. Attorney's fee in the amount of \$1.50 is awarded plaintiff, as well as costs to Paul James in the amount of \$573.26, costs to Elizabeth Alexander in the amount of \$1,049.94, and costs to Cathleen Compton in the amount of \$150.00 (filing fee). Signed by Judge James M. Moody on 9/13/10. (bkp) (Entered: 09/13/2010)