

FRC, HTS, MOTREF

**U.S. District Court  
Middle District of Florida (Jacksonville)  
CIVIL DOCKET FOR CASE #: 3:72-cv-00109-TJC**

Costello v. Dugger, et al  
Assigned to: Judge Timothy J. Corrigan  
Demand: \$0  
Cause: 42:1983 Civil Rights Act

Date Filed: 02/09/1972  
Jury Demand: None  
Nature of Suit: 555 Prisoner Civil Rights  
(Prison Condition)  
Jurisdiction: Federal Question

**Plaintiff**

**Michael V. Costello**

represented by **William J. Sheppard**  
Sheppard, White and Thomas, P.A.  
215 Washington St.  
Jacksonville, FL 32202  
904/356-9661  
Fax: 904-356-9667  
Email: sheppardwhitethomas@att.net  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Lawrence E. Dugger**

**Defendant**

**W. D. Rogers**

**Movant**

**Michael A. Sanders**

represented by **Michael A. Sanders**  
#  
Sumter Correctional Institution  
P.O. Box 667  
Bushnell, FL 33513-0667  
PRO SE

**Movant**

**Richard E. Gourley**

represented by **Richard E. Gourley**  
#034536  
Hardee Correctional Institution  
6901 S.R. 62  
Bowling Green, FL 33834  
PRO SE

**Movant**

**Lynn E. Young**  
*Class Member*

represented by **Lynn E. Young**  
#621256  
Avon Park Correctional Institution  
P.O. Box 1100  
Avon Park, FL 33825-1100  
PRO SE

**Movant**

**Walter Thompkins**  
*Class Member*

represented by **Walter Thompkins**  
#352794  
Avon Park Correctional Institution  
P.O. Box 1100  
Avon Park, FL 33825-1100  
PRO SE

**Movant**

**Michael Scott Warren**

represented by **Michael Scott Warren**  
#079886  
Columbia Correctional Institution  
216 S.E. Corrections Way  
Lake City, FL 32025  
PRO SE

**Movant**

**Jorge F. Llerena**

represented by **Jorge F. Llerena**  
#430889  
Glades Correctional Institution  
500 Orange Ave. Circle  
Belle Glade, FL 33430-5222  
PRO SE

**Movant**

**Mark Torres**

represented by **Mark Torres**  
#330952  
Glades Correctional Institution  
500 Orange Ave. Circle  
Belle Glade, FL 33430-5222  
PRO SE

**Movant**

**Rodolfo G. Ortiz**

represented by **Rodolfo G. Ortiz**  
#409701  
Glades Correctional Institution  
500 Orange Ave. Circle  
Belle Glade, FL 33430-5222  
PRO SE

**Movant**

**Marzuq Al-Hakim**represented by **Marzuq Al-Hakim**

02037181

Hillsborough County Jail

1201 Orient Road

Tampa, FL 33619

PRO SE

| <b>Date Filed</b> | <b>#</b> | <b>Docket Text</b>  |
|-------------------|----------|---|
| 03/30/1993        |          | CASE CLOSED. (slc) (Entered: 04/01/1993)  |
| 02/25/1998        | <u>1</u> | NOTICE to Federal Monitor Robert Collin by Michael Scott Warren (sms) Modified on 02/25/1998 (Entered: 02/25/1998)  |
| 03/02/1998        | <u>2</u> | ORDER striking [1-1] notice to Federal Monitor Robert Collin; the Clerk shall send plaintiff a civil rights complaint form and affidavit of indigency ( Signed by Judge Harvey E. Schlesinger on 2/27/98) ctc (sms) (Entered: 03/02/1998)   |
| 10/12/1999        |          | SEE PAPER DOCKET FOR ALL PLEADINGS DATED PRIOR TO 2/25/98 (previous documents not numbered) (sms) Modified on 10/18/1999 (Entered: 10/12/1999)  |
| 10/12/1999        | <u>3</u> | MOTION by Michael A Sanders for declaratory statement , or in the alternative for writ of scire facias referred to Judge Harvey E. Schlesinger STRICKEN and returned per order #4 (sms) Modified on 10/18/1999 (Entered: 10/13/1999)  |
| 10/15/1999        | <u>4</u> | ORDER striking [3-1] motion for declaratory statement, [3-2] motion for writ of scire facias; all pro se pleadings must be submitted through class counsel, William J. Sheppard; the clerk is directed to return the pleading ( Signed by Judge Harvey E. Schlesinger ) ctc (seg) (Entered: 10/18/1999)   |
| 10/22/1999        | <u>5</u> | AFFIDAVIT of Indigency filed by Michael Sanders (seg) Modified on 10/22/1999 (Entered: 10/22/1999)  |
| 06/06/2000        | <u>6</u> | EMERGENCY MOTION by Richard E. Gourley with memorandum in support for temporary restraining order Rule 65(b) pending the entry of a preliminary injunction pursuant to Rule 65 (a) Fed.R.Civ.P. referred to Judge Harvey E. Schlesinger (stricken per order #7 and returned to pro se party) (ejw) Modified on 06/12/2000 (Entered: 06/06/2000)                                   |
| 06/09/2000        | <u>7</u> | ORDER striking [6-1] motion for temporary restraining order Rule 65(b) pending the entry of a preliminary injunction pursuant to Rule 65 (a) Fed.R.Civ.P., as all pro se pleadings must be submitted through class counsel, William J. Sheppard; and the clerk shall return this document to Mr. Gourley ( Signed by Judge Ralph W. Nimmons Jr. ) ctc (slc) (Entered: 06/12/2000) |
| 06/19/2000        | <u>8</u> | EMERGENCY MOTION by Lynn E. Young for temporary restraining order pursuant to Rule 65(b) , and to enforce health care settlement agreement approved 11/02/81 and of May, 1991 referred to Judge Harvey E. Schlesinger (STRICKEN by Order #11) (lss) Modified on 06/28/2000 (Entered: 06/19/2000)  |

|            |                           |   |
|------------|---------------------------|---|
| 06/19/2000 | <a href="#"><u>9</u></a>  | EMERGENCY MOTION by Walter Thompkins for temporary restraining order pursuant to Rule 65(b) , and to enforce health care settlement agreement approved 11/02/81 and May, 1991 referred to Judge Harvey E. Schlesinger (STRICKEN by Order #11) (lss) Modified on 06/28/2000 (Entered: 06/19/2000)  |
| 06/26/2000 | <a href="#"><u>10</u></a> | MOTION by Richard E. Gourley for relief from judgment , and to recall Order pursuant to Rule 60(B), Fed. R. Civ. P. (ls) (Entered: 06/27/2000)  |
| 06/26/2000 | <a href="#"><u>11</u></a> | ORDER striking [8-2] motion to enforce health care settlement agreement approved 11/02/81 and of May, 1991, striking [8-1] motion for temporary restraining order pursuant to Rule 65(b), striking [9-2] motion to enforce health care settlement agreement approved 11/02/81 and May, 1991, striking [9-1] motion for temporary restraining order pursuant to Rule 65(b); directing the Clerk to return said documents to Lynn E. Young and Walter Thompkins ( Signed by Judge Ralph W. Nimmons Jr. ) ctc (ls) (Entered: 06/28/2000) |
| 08/21/2000 |                           | MOTION(S) referred: [10-1] motion for relief from judgment referred to Judge Harvey E. Schlesinger, [10-2] motion to recall Order pursuant to Rule 60(B), Fed. R. Civ. P. referred to Judge Harvey E. Schlesinger (ls) (Entered: 08/21/2000)  |
| 08/30/2000 | <a href="#"><u>12</u></a> | ORDER denying [10-1] motion for relief from judgment, denying [10-2] motion to recall Order pursuant to Rule 60(B), Fed. R. Civ. P. ( Signed by Judge Ralph W. Nimmons Jr. ) ctc (ls) (Entered: 08/31/2000)   |
| 12/05/2000 |                           | FRC record data: accession # 021-96-0160; agency box # 1-18 (pleadings/depositions), 19 (depositions/exhibits), 20-39 (exhibits), 40 (exhibits/5 vol. final survey), 41 (1990 final medical survey), 42-48 (transcripts); location # J0190754; perm record. (mk) (Entered: 12/05/2000)  |
| 02/10/2003 | <a href="#"><u>13</u></a> | MOTION by Michael Scott Warren dissolution tampercy PLRA notice for requested investigation STRICKEN Per Order (Doc. 17) (lrb) Modified on 03/19/2003 (Entered: 02/13/2003)   |
| 03/04/2003 | <a href="#"><u>14</u></a> | MOTION by Jorge F. Llerena, Mark Torres, Rodolfo G. Ortiz to reinstate clas action due to defendants' breach of teh overcrowding settlement agreement and contempt to court order ; STRICKEN Per Order (Doc. #17) (lrb) Modified on 03/19/2003 (Entered: 03/04/2003)  |
| 03/14/2003 | <a href="#"><u>15</u></a> | ORDER of recusal ( signed by Judge Harvey E. Schlesinger ) ctc (lrb) (Entered: 03/14/2003)  |
| 03/14/2003 | <a href="#"><u>16</u></a> | NOTICE OF CASE REASSIGNMENT to the Honorable Sr. Judge John H. Moore II . ctc (lrb) (Entered: 03/14/2003)   |
| 03/19/2003 | <a href="#"><u>17</u></a> | ORDER striking [13-1] motion dissolution tampercy PLRA notice for requested investigation, striking [14-1] motion to reinstate class action due to defendants' breach of the overcrowding settlement agreement and contempt to court order ( Signed by Sr. Judge John H. Moore II ) ctc (lrb) Modified on 04/03/2003 (Entered: 03/19/2003)  |
| 04/24/2003 | <a href="#"><u>18</u></a> | MOTION by former counsel for Michael V. Costello for relief from order entered 3/18/03 (lrb) (Entered: 04/25/2003)  |

|            |                    |  |
|------------|--------------------|--|
| 05/06/2003 | <a href="#">19</a> | MOTION by Jorge F. Llerena, Mark Torres and Rodolfo G. Ortiz for appointment of counsel for class members ; STRICKEN Per Order (Doc. 27) (lrb) Modified on 05/14/2004 (Entered: 05/06/2003)  |
| 05/06/2003 | <a href="#">20</a> | MOTION by Jorge F. Llerena, Mark Torres, Rodolfo G. Ortiz to strike [17-1] order , and reinstate all pleadings filed in this case ; STRICKEN Per Order (Doc. #27) (lrb) Modified on 05/14/2004 (Entered: 05/06/2003)   |
| 07/11/2003 | <a href="#">21</a> | Notice of Inquiry by Michael V. Costello; Clerk responded (pwd) (Entered: 07/14/2003)  |
| 09/29/2003 | <a href="#">22</a> | INTRODUCTION OF EVIDENCE of by Rodolfo G. Ortiz (lrb) (Entered: 09/30/2003)  |
| 09/29/2003 | <a href="#">23</a> | MOTION by Rodolfo G. Ortiz for hearing on several motions , and to rule on several motions ; STRICKEN Per Order (Doc. #27) (lrb) Modified on 05/14/2004 (Entered: 09/30/2003)  |
| 02/02/2004 |                    | CLERK responded to inquiry from Rodolfo Ortiz (lrb) (Entered: 02/02/2004)  |
| 04/06/2004 | <a href="#">24</a> | ORDER of recusal the undersigned hereby recuses himself and this case is returned to the Clerk of Court for reassignment in accordance with established procedures ( signed by Sr. Judge John H. Moore II ) ctc (lrb) (Entered: 04/06/2004)  |
| 04/06/2004 | <a href="#">25</a> | NOTICE OF CASE REASSIGNMENT to the Honorable Judge Timothy J. Corrigan . ctc (lrb) (Entered: 04/06/2004)   |
| 04/26/2004 |                    | MAGISTRATE JUDGE CASE ASSIGNMENT Magistrate assigned: Howard T. Snyder (lrb) (Entered: 04/26/2004)   |
| 04/26/2004 | <a href="#">26</a> | NOTICE of tampering and retaliation by Michael Scott Warren (lrb) (Entered: 04/26/2004)  |
| 05/13/2004 | <a href="#">27</a> | ORDER granting [18-1] motion for relief from order entered 3/18/03 and William J. Sheppard, Esq. is relieved from any further obligation in this case; the Clerk is directed to strike all pro se pleadings not previously stricken that have been filed since the entry of this Court's las order 3/19/03; the Clerk is directed to strike all pro se pleadings that may be filed in the future and return them ( Signed by Magistrate Judge Howard T. Snyder ) ctc (lrb) (Entered: 05/14/2004) |
| 02/28/2005 | 28                 | MOTION for joinder as a party plaintiff and substitution of defendant for a superseding cause of action for order to show cause by Marzuq Al-Hakim. (LRB) Modified on 3/1/2005 STRICKEN and returned per Order, [Doc. 27], documents sent as directed in Order, [Doc. 27] (LRB). (Entered: 02/28/2005)   |

**PACER Service Center**

**Transaction Receipt**

04/05/2006 11:30:41

**PACER  
Login:**

hs0328

**Client Code:**

|                        |               |                         |                   |
|------------------------|---------------|-------------------------|-------------------|
| <b>Description:</b>    | Docket Report | <b>Search Criteria:</b> | 3:72-cv-00109-TJC |
| <b>Billable Pages:</b> | 3             | <b>Cost:</b>            | 0.24              |

---