

General Docket
Eighth Circuit Court of Appeals

Court of Appeals Docket #: 06-2741 **Docketed:** 06/30/2006
Nature of Suit: 3440 Other Civil Rights **Termed:** 12/03/2007
 Americans United, et al v. Prison Fellowship, et al
Appeal From: U.S. District Court for the Southern District of Iowa - Des Moines
Fee Status: paid - cs

Case Type Information:

- 1) Civil
- 2) Private
- 3) null

Originating Court Information:

District: 0863-4 : [4:03-cv-90074-RP](#)
Court Reporter: Theresa Kenkel
Trial Judge: Robert W. Pratt, U.S. District Judge
Date Filed: 02/12/2003
Date Order/Judgment: 06/05/2006

Date NOA Filed:
06/29/2006

Prior Cases:

[05-2491](#) **Date Filed:** 06/01/2005 **Date Disposed:** 08/11/2005 **Disposition:** Dismissed

Current Cases:

None

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Plaintiff - Appellee

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Defendant - Appellant

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Defendant - Appellant

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Defendant

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Defendant

Walter Reed, Jr., in official capacity as member of the Iowa Board of Corrections and in individual capacity
Defendant - Appellant

Donald Tietz, in official capacity as member of the Iowa Board of Corrections and in individual capacity
Defendant

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Bobby Shelton, also known as Bilal Shukr (State Prisoner: 1089099)
Plaintiff

v.

W. L. Kautzky
Defendant

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Warden Terry Mapes, Sued as: Terry D. Mapes Defendant	
Innerchange Freedom Initiative Program Defendant	
John Baldwin, in his official capacity as Acting Director of the Iowa Department of the Iowa Department of Corrections and in his individual capacity Defendant	
Haywood Belle, in official capacity as member of the Iowa Board of Corrections and in individual capacity Defendant	
Frances Colston, in official capacity as member of the Iowa Board of Corrections and in individual capacity Defendant	
Robyn Mills, in official capacity as member of the Iowa Board of Corrections and in individual capacity Defendant	
Arthur Neu, in official capacity as member of the Iowa Board of Corrections and in individual capacity	

Defendant

Suellen Overton, in official capacity as member of the Iowa Board of Corrections and in individual capacity
Defendant

Walter Reed, Jr., in official capacity as member of the Iowa Board of Corrections and in individual capacity
Defendant

Donald Tietz, in official capacity as member of the Iowa Board of Corrections and in individual capacity
Defendant

Prison Fellowship Ministries
Defendant

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Gary Maynard
Defendant

AMERICANS UNITED FOR SEPARATION OF CHURCH AND STATE; CAROL DELP; ARDENE MCKEAG; DOROTHY REDD; SANDRA SOBOTKA

Plaintiffs - Appellees

v.

PRISON FELLOWSHIP MINISTRIES; INNERCHANGE FREEDOM INITIATIVE PROGRAM, Sued as: Innerchange Freedom Initiative; TERRY MAPES, in his official capacity as Warden of the Newton Correctional Facility and in his individual capacity;

Defendants - Appellants

WALTER KAUTZKY, Sued as Walter "Kip" Kautzky;

Defendant

JOHN BALDWIN, in his official capacity as Acting Director of the Iowa Department of Corrections and in his individual capacity; HAYWOOD BELLE, in official capacity as member of Iowa Board of Corrections and in individual capacity;

Defendants - Appellants

FRANCES COLSTON, in official capacity and as member of the Iowa Board of Corrections and in individual capacity;

Defendant

ROBYN MILLS, in official capacity as member of the Iowa Board of Corrections and in individual capacity; ARTHUR NEU, in official capacity as member of the Iowa Board of Corrections and in individual capacity;

Defendants - Appellants

SUELLEN OVERTON, in official capacity as member of the Iowa Board of Corrections and in individual capacity;

Defendant

WALTER REED, JR., in official capacity as member of the Iowa Board of Corrections and in individual capacity;

Defendant - Appellant

DONALD TIETZ, in official capacity as member of the Iowa Board of Corrections and in individual capacity;

Defendant

GARY MAYNARD

Defendant - Appellant

BOBBY SHELTON, also known as Bilal Shukr

Plaintiff

v.

W. L. KAUTZKY

Defendant

AMERICAN CENTER FOR LAW AND JUSTICE; TRAVIS DAGEL; SANDRO NAVARRO; ROBERT WAYNE ROBINSON; RICK THEELER;

Amici on behalf of Appellant

FOUNDATION FOR MORAL LAW; CATHOLIC LEAGUE FOR RELIGIOUS AND CIVIL RIGHTS;

Amicus on Behalf of Appellant

ALLIANCE DEFENSE FUND; NATIONAL ASSOCIATION OF EVANGELICALS; CENTER FOR NEIGHBORHOOD ENTERPRISE; TEEN CHALLENGE; TIME TO FLY; CENTER FOR PUBLIC JUSTICE; EVANGELICALS FOR SOCIAL ACTION; COALITION TO PRESERVE RELIGIOUS FREEDOM; STATE OF VIRGINIA; STATE OF ALABAMA;

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STATE OF ARKANSAS, STATE OF COLORADO; STATE OF FLORIDA; STATE OF KANSAS; STATE OF MISSOURI; STATE OF SOUTH CAROLINA; STATE OF TEXAS;

Amici on behalf of Appellant

WALLBUILDERS, INC.; IOWA FAMILY POLICY CENTER; UNITED STATES OF AMERICA;

Amici on Behalf of Appellant

JERRY DEAN ASHBURN;








Plaintiff



WARDEN TERRY MAPES, Sued as: Terry D. Mapes; INNERCHANGE FREEDOM INITIATIVE PROGRAM; JOHN BALDWIN, in his official capacity as Acting Director of the Iowa Department of the Iowa Department of Corrections and in his individual capacity; HAYWOOD BELLE, in official capacity as member of the Iowa Board of Corrections and in individual capacity; FRANCES COLSTON, in official capacity as member of the Iowa Board of Corrections and in individual capacity; ROBYN MILLS, in official capacity as member of the Iowa Board of Corrections and in individual capacity; ARTHUR NEU, in official capacity as member of the Iowa Board of Corrections and in individual capacity; SUELLEN OVERTON, in official capacity as member of the Iowa Board of Corrections and in individual capacity; WALTER REED, JR., in official capacity as member of the Iowa Board of Corrections and in individual capacity; DONALD TIETZ, in official capacity as member of the Iowa Board of Corrections and in individual capacity; PRISON FELLOWSHIP MINISTRIES; GARY MAYNARD




Defendants

- 06/30/2006 Civil Case Docketed. Dist. Ct. Office: Des Moines (LLB) [Entered: 06/30/2006 10:52 AM]
- 06/30/2006 CERTIFIED copies notice of appeal, docket entries, and judgment dated 6/5/06 from district court [06-2741] [2063081] (LLB) [Entered: 06/30/2006 10:54 AM]
- 06/30/2006 BRIEFING SCHEDULE: [06-2741] Transcript due on 8/9/06 Apndx due on 8/21/06 Aplnt brief due on 8/21/06 Aplee brief due on 9/18/06 reply brief due on 10/2/06 (LLB) [Entered: 06/30/2006 10:55 AM]
- 07/05/2006 RECORDS received: Transcript, consisting of 14 Volumes of trial held on 10/24/2005 - 2/17/2006 - vols. I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, and XIV. Location STL. [06-2741] (STL) [Entered: 07/06/2006 01:12 PM]
- 07/05/2006 RECORDS received: Transcript, consisting of 5 Volumes. (1 vol. of proceedings held on 8/6/2003, 1 vol. of hearing held on 3/25/2004, 1 vol. of hearing held on 7/19/2005, and 2 vols. of summary judgment hearing held on 10/12/2004 - 10/13/2004 - vols. I and II) Location STL. [06-2741] (STL) [Entered: 07/06/2006 02:17 PM]
- 07/05/2006 APPEARANCE for appellee, attorney Alex J. Luchenitser [06-2741] [2067347] (JPP) [Entered: 07/13/2006 02:12 PM]
- 07/05/2006 APPEARANCE for appellee, attorney Richard B. Katskee [06-2741] [2067352] (JPP) [Entered: 07/13/2006 02:14 PM]
- 07/05/2006 APPEARANCE for appellee, attorney Heather L. Weaver [06-2741] [2067354] (JPP) [Entered: 07/13/2006 02:16 PM]
- 07/05/2006 Corporate Disclosure Statement filed. Filed by Americans United FOR CAL. (DKM) [Entered: 09/06/2006 10:28 AM]
- 07/07/2006 APPEARANCE for appellee, attorney Dean Stowers [06-2741] [2065132] (JPP) [Entered: 07/07/2006 03:40 PM]
- 07/07/2006 Corporate Disclosure Statement filed. Filed by Prison Fellowship, Innerchange Freedom FOR CAL. (DKM) [Entered: 08/21/2006 03:18 PM]
- 07/10/2006 APPEARANCE for appellant, attorney H. Loraine Wallace [06-2741] [2066964] (JPP) [Entered: 07/12/2006 05:02 PM]
- 07/10/2006 DESIGNATION of record received from Appellants Terry Mapes, et al. Type of appendix: separate [06-2741] (JPP) [Entered: 07/12/2006 05:07 PM]
- 07/10/2006 Remarks: Transcript ordered. [06-2741] (JPP) [Entered: 07/12/2006 05:08 PM]
- 07/10/2006 APPEARANCE for appellant, attorney Gordon Eugene Allen [06-2741] [2066967] (JPP) [Entered: 07/12/2006 05:09 PM]
- 07/11/2006 APPEARANCE for appellant, attorney Anthony F. Troy [06-2741] [2066968] (JPP) [Entered: 07/12/2006 05:12 PM]
- 07/17/2006 APPEARANCE for appellee, attorney Ayesha Khan [06-2741] [2068402] (F) [Entered: 07/18/2006 10:18 AM]
- 07/19/2006 APPEARANCE for appellant, attorney Jared N. Leland [06-2741] [2069215] (MAJ) [Entered: 07/19/2006 01:46 PM]
- 07/19/2006 APPEARANCE for appellant, attorney Eric C. Rassbach [06-2741] [2069221] (F) [Entered: 07/19/2006 01:52 PM]
- 07/19/2006 APPEARANCE for appellant, attorney Derek L. Gaubatz [06-2741] [2069226] (F) [Entered: 07/19/2006 01:55 PM]
- 07/19/2006 APPEARANCE for appellant, attorney Anthony R. Picarello [06-2741] [2069230] (F) [Entered: 07/19/2006 01:56 PM]
- 07/19/2006 MOTION of aplnts, Prison Fellowship, et al. for extension of time to file brief until 9/20/06 . [06-2741] [2069389] w/service 7/18/06 (JPP) [Entered: 07/19/2006 04:14 PM]
- 07/19/2006 ORDER filed:granting in part appellant motion for extension of time to file brief [2069392] Aplnt brief now due on 9/13/06 (JPP) [Entered: 07/19/2006 04:19 PM]
- 07/26/2006 RECORDS received: Transcript, consisting of 1 Volume of hearing held on 6/22/2006. Location STL. [06-2741] (STL) [Entered: 07/26/2006 02:03 PM]
- 09/13/2006 RECORDS received: Appendix filed by Appellants Prison Fellowship, Appellants Innerchange Freedom consisting of 3 Volume(s), 3 Copies. Defects: dkt ent [06-2741] (PJS) [Entered: 09/17/2006 04:18 PM]
- 09/13/2006 RECORDS received: Exhibits, Located in: St.Louis, MO, consisting of 6 boxes. [06-2741] (JPP) [Entered:














09/21/2006 10:10 AM]












- 09/14/2006  BRIEF FILED - Brief of Appellant- Prison Fellowship, Innerchange Freedom 13910 words 11 copies - w/service 9/13/06 w/cdrom . [06-2741] [2090105] (PJS) [Entered: 09/17/2006 04:55 PM]
76 pg, 181.33 KB
- 09/14/2006 ADDENDUM FILED - Appellant Prison Fellowship and Innerchange Freedom Initiative addendum. 11 copies w/service 9/13/06 [06-2741] [2090108] (PJS) [Entered: 09/17/2006 05:14 PM]
- 09/14/2006  BRIEF FILED - Brief of Appellant- Terry Mapes, John Baldwin, Haywood Belle, Robyn Mills, Arthur Neu, Walter Reed, Gary Maynard , 11,887 words. w/addendum 10 copies - w/service 9/13/06 w/diskette . [06-2741] [2091008] (JPP) [Entered: 09/19/2006 11:38 AM]
61 pg, 91.49 KB
- 09/14/2006 RECORDS received: Appendix filed by Appellants Terry Mapes, et al. consisting of 1 Volume(s), 3 Copies. [06-2741] (JPP) [Entered: 09/19/2006 02:34 PM]
- 09/15/2006 MOTION of amicus curiae United States, for extension of time to file brief until 10/6/06 . [06-2741] [2091141] "w/service 9/14/06 (JPP) [Entered: 09/19/2006 02:40 PM]
- 09/18/2006 RESPONSE of aplees, Americans United, Carol Delp, Ardene McKeag, Dorothy Redd, Sandra Sobotka, in support of amicus motion of United States for ext. of time to file brief filed [2091141-1] [2091145] . (JPP) [Entered: 09/19/2006 02:42 PM]
- 09/20/2006 ORDER filed: The motion of the United States for an extension of time until October 6, 2006 to file an amicus curiae brief on behalf of appellants is hereby granted. [2091141-1] [2091413] Amicus brief now due on 10/6/06 (JPP) [Entered: 09/20/2006 11:52 AM]
- 09/20/2006 BRIEF TENDERED - Brief of Amicus-Curiae Iowa Family Policy Center (IFPC) - on behalf of appellant . 24 pages - 10 copies w/service 9/20/06 . (JPP) [Entered: 09/26/2006 02:34 PM]
- 09/20/2006 MOTION of amicus curiae Iowa Family Policy Center, for leave to file amicus curiae brief on behalf of appellant [2093583] "w/service 9/20/06 (JPP) [Entered: 09/26/2006 02:35 PM]
- 09/20/2006 APPEARANCE for amicus curiae, attorney Steven W. Fitschen [06-2741] [2097102] (JPP) [Entered: 10/06/2006 01:33 PM]
- 09/22/2006 BRIEF TENDERED - Brief of Amici-Curiae - Alliance Defense Fund, National Association of Evangelicals, Center for Neighborhood Enterprise, Teen Challenge, Time to Fly, Center for Public Justice, Evangelicals for Social Action, Coalition to preserve Religious Freedom on behalf of appellants . 18 pages - 10 copies w/service 9/21/06 . (JPP) [Entered: 09/26/2006 03:55 PM]
- 09/22/2006 MOTION of amici curiae, Alliance Defense Fund, National Association of Evangelicals, Center for Neighborhood Enterprise, Teen Challenge, Time to Fly, Center for Public Justice, Evangelicals for Social Action, and Coalition to Preserve Religious Freedom for leave to file amicus curiae brief on behalf of appellants [2093658] "w/service 9/21/06 (JPP) [Entered: 09/26/2006 03:59 PM]
- 09/22/2006  BRIEF FILED - Brief of Amici-Curiae - Alliance Defense, Nat. Assoc. Evang., Center for Neig., Teen Challenge, Time to Fly, Center for Public, Evangelicals for, Coalition to Pres on behalf of appellants . 4,990 words - 10 copies w/service 9/21/06 . [06-2741] [2093961] (JPP) [Entered: 09/27/2006 12:12 PM]
26 pg, 64.49 KB
- 09/22/2006 BRIEF FILED - Brief of Amici-Curiae - State of AL, State of AR, State of CO, State of FL, State of KS, State of MO on behalf of appellants . 6,043 words - 10 copies w/service 9/21/06 . [06-2741] [2093988] (JPP) [Entered: 09/27/2006 01:20 PM]
- 09/25/2006  BRIEF FILED - Brief of Amici-Curiae - American Center, Travis Dagel, Sandro Navarro, Robert Wayne Robinson, Rick Theeler on behalf of appellants . 12 pages - 10 copies w/service 9/22/06 . [06-2741] [2093869] (JPP) [Entered: 09/27/2006 10:47 AM]
18 pg, 93.63 KB
- 09/25/2006  BRIEF FILED - Brief of Amicus-Curiae - Foundation for Moral on behalf of appellants . 6,695 words - 10 copies w/service 9/22/06 . [06-2741] [2093912] (JPP) [Entered: 09/27/2006 11:27 AM]
45 pg, 72.72 KB
- 09/25/2006  BRIEF FILED - Brief of Amicus-Curiae - Catholic League on behalf of appellants . 11 pages - 10 copies w/service 9/22/06 . [06-2741] [2093946] (JPP) [Entered: 09/27/2006 11:56 AM]
20 pg, 154.96 KB
- 09/25/2006  BRIEF FILED - Brief of Amicus-Curiae - Wallbuilders on behalf of appellants . 6,964 words - 10 copies w/service 9/22/06 . [06-2741] [2094037] (JPP) [Entered: 09/27/2006 02:15 PM]
42 pg, 262.95 KB
- 09/25/2006 Brief Correction(s) received from Appellants Prison Fellowship. Correction(s): addendum covers . [06-2741] (JPP) [Entered: 10/19/2006 01:28 PM]
- 09/26/2006 MOTION of aplee, Americans United , for extension of time to file brief until 10/16/06 . [06-2741] [2093785] w/service 9/26/06 (JPP) [Entered: 09/27/2006 09:39 AM]
- 09/27/2006 ORDER filed:granting appellee motion extension of time to file brief [2093785-1] [2093819] Aplee brief now due on 10/16/06 . (JPP) [Entered: 09/27/2006 10:02 AM]
- 09/27/2006 ORDER filed: Correcting previous order dated 9/27/06. [2094155-1] The correction made: Appellees' motion for an extension of time to file the brief is granted. Appellees may have until November 8, 2006 to

- file the brief. [06-2741] [2094155] (JPP) [Entered: 09/27/2006 03:57 PM]
- 10/02/2006 MOTION of aplees, Americans United, Carol Delp, Ardene McKeag, Dorothy Redd, Sandra Sobotka , to file overlength brief of 18,342, 16,304, 15,563 or such other amount in excess of 14,000 words. [06-2741] [2095934] w/service 10/2/06 (JPP) [Entered: 10/03/2006 03:39 PM]
- 10/02/2006 APPEARANCE for amicus curiae, attorney Gregory M. Jones [06-2741] [2096186] (JPP) [Entered: 10/04/2006 12:59 PM]
- 10/03/2006 APPEARANCE for amicus curiae Commonwealth of Virginia and State of AL as well as seven other States, attorney William E. Thro [06-2741] [2097111] (JPP) [Entered: 10/06/2006 01:45 PM]
- 10/03/2006 Corrected disk rec'd for brief of amici curiae State of VA, State of AL, State of AR, State of CO, State of FL, State of KS, State of MO, State of SC, State of TX [06-2741] (JPP) [Entered: 10/06/2006 01:48 PM]
- 10/04/2006 ORDER filed: [2095934-1] [06-2741] [2096148] Appellees' motion to file brief in excess of limits set forth in FRAP Rule 32 (a)(7)(A) and (B) is granted. Appellees' brief shall not exceed 18,342 words. (JPP) [Entered: 10/04/2006 11:35 AM]
- 10/05/2006 Corrected disk rec'd for brief of amicus Wallbuilders [06-2741] (JPP) [Entered: 10/06/2006 01:40 PM]
- 10/06/2006 APPEARANCE for amicus curiae Catholic League, etc., attorney Roman P. Storzer [06-2741] [2097382] (JPP) [Entered: 10/10/2006 09:46 AM]
- 10/10/2006 APPEARANCE for amicus curiae Alliance Defense Fund, attorney Mark Bucci [06-2741] [2099818] (JPP) [Entered: 10/16/2006 04:11 PM]
- 10/10/2006 APPEARANCE for amici curiae Alliance Defense Fund, et al., attorney Joel L. Oster [06-2741] [2099821] (JPP) [Entered: 10/16/2006 04:16 PM]
- 10/10/2006 APPEARANCE for amici curiae, Alliance Defense Fund, et al. attorney David C. LaPlante [06-2741] [2099823] (JPP) [Entered: 10/16/2006 04:22 PM]
- 10/10/2006 APPEARANCE for amici curiae Alliance Defense Fund, et al., attorney Kevin Theriot [06-2741] [2099825] (JPP) [Entered: 10/16/2006 04:29 PM]
- 10/10/2006 APPEARANCE for amicus curiae Prison Fellowship, attorney Benjamin W. Bull [06-2741] [2099830] (JPP) [Entered: 10/16/2006 04:36 PM]
- 10/10/2006 APPEARANCE for amicus curiae, attorney Walter M. Weber [06-2741] [2099832] (JPP) [Entered: 10/16/2006 04:42 PM]
- 10/17/2006 BRIEF FILED - Brief of Amicus-Curiae - Iowa Family Policy on behalf of appellants . 25 pages - 10 copies w/service 9/15/06 . [06-2741] [2100003] (JPP) [Entered: 10/17/2006 09:48 AM]
- 10/17/2006 New Diskette requested. [06-2741] (JPP) [Entered: 10/17/2006 10:08 AM]
- 10/18/2006 ORDER filed: The United States has filed an amicus brief on behalf of appellants. See Fed. R.App.P. 29(a). Appellees' brief is due November 13, 2006. [2100731] (JPP) [Entered: 10/18/2006 02:16 PM]
- 10/18/2006  BRIEF FILED - Brief of Amicus-Curiae - USA on behalf of appellants . 13 pages - 10 copies w/service 10/6/06 . [06-2741] [2100877] (JPP) [Entered: 10/18/2006 05:08 PM]
20 pg, 97.95 KB
- 10/30/2006 Corrected disk rec'd for brief of Iowa Family Policy (unreadable disk). [06-2741] (JPP) [Entered: 11/02/2006 04:59 PM]
- 11/14/2006 MOTION of aplnts, Prison Fellowship, Innerchange Freedom, Terry Mapes, et al. for extension of time to file reply brief until 12/4/06 . [06-2741] [2110157] w/service 11/13/06 (JPP) [Entered: 11/16/2006 10:20 AM]
- 11/16/2006 ORDER filed:granting appellant motion extension of time to file reply brief. [2110157-1] [2110158] Reply brief now due on 12/4/06 . (JPP) [Entered: 11/16/2006 10:22 AM]
- 11/16/2006 MOTION of aplee, Americans United , to seal a portion of the appendix (vol. V). [06-2741] [2110435] w/service 11/13/06 (JPP) [Entered: 11/16/2006 04:00 PM]
- 11/16/2006 MOTION of aplees, Americans United, et al. , for leave to submit electronic courtesy copies of trial transcript, appellees' appendix and selected trial exhibits and for leave to file under seal certain cds containing exhibits sealed below. [06-2741] [2110438] w/service 11/13/06 (JPP) [Entered: 11/16/2006 04:01 PM]
- 11/16/2006  BRIEF FILED - Brief of Appellee - Americans United, Carol Delp, Ardene McKeag, Dorothy Redd, Sandra Sobotka. 18,305 words w/addendum - 10 copies - w/service 11/13/06 . w/cdrom [06-2741] [2111133] (JPP) [Entered: 11/20/2006 11:58 AM]
106 pg, 218.34 KB
- 11/20/2006 ORDER filed: Appellees' motion to file Volume V of their appendix under seal is granted. Appellees' motion for leave to submit electronic courtesy copies of certain record materials is also granted. [2110435-

- 1] [2111069] [2110438-1] [06-2741] [2111069] (JPP) [Entered: 11/20/2006 11:21 AM]
- 11/20/2006 New Diskette requested. [06-2741] (JPP) [Entered: 11/20/2006 12:10 PM]
- 11/20/2006 RECORDS received: Appendix filed by Appellees Americans United, Appellees Carol Delp, Appellees Ardene McKeag, Appellees Dorothy Redd, Appellees Sandra Sobotka consisting of 5 Volume(s), 3 Copies, Vol 5 under seal. [06-2741], (IN CAMERA) (JPP) [Entered: 11/20/2006 12:26 PM]
- 11/20/2006 RECORDS received: Miscellaneous Records, consisting of appellees' courtesy electronic copies of trial transcript, appendix (vol. 5 of which is sealed) and selected exhibits (certain of which are sealed) [06-2741], FOR CAL. (JPP) [Entered: 11/20/2006 01:39 PM]
- 11/24/2006 BRIEF FILED - Brief of Amicus-Curiae - Amer. Jewish Comm., Anti-Defamation on behalf of appellees . 6,267 words - 10 copies w/service 11/22/06 . [06-2741] [2119244] (JPP) [Entered: 12/13/2006 04:10 PM]
- 11/24/2006 BRIEF FILED - Brief of Amicus-Curiae - American Civil, Amer.Civ.Lib. of IA on behalf of appellees . 5,922 words - 10 copies w/service 11/21/06 . [06-2741] [2119279] (JPP) [Entered: 12/13/2006 04:40 PM]
- 11/24/2006 BRIEF FILED - Brief of Amicus-Curiae - American Jewish, Bapt.Jt.Com. Rel. on behalf of appellees . 6,891 words - 10 copies w/service 11/23/06 . [06-2741] [2119548] (JPP) [Entered: 12/14/2006 09:47 AM]
- 11/27/2006 BRIEF FILED - Brief of Amicus-Curiae - Council for Secular, Center for Inquiry on behalf of appellees . 6,913 words - 10 copies w/service 11/20/06 . [06-2741] [2119298] (JPP) [Entered: 12/13/2006 05:01 PM]
- 11/27/2006 BRIEF FILED - Brief of Amicus-Curiae - Amer.Corr.Chap., Amer.Catholic Corr., Jewish Prisoner on behalf of appellees . 5,667 words - 10 copies w/service 11/21/06 . [06-2741] [2119595] (JPP) [Entered: 12/14/2006 10:08 AM]
- 11/29/2006 Corrected disk rec'd for brief of appellees Americans United, et al. [06-2741] (JPP) [Entered: 12/14/2006 10:50 AM]
- 12/05/2006  BRIEF FILED - Reply brief - Prison Fellowship, Innerchange Freedom . 6,997 words 10 copies - w/service 12/4/06 . w/cdrom [06-2741] [2115608] (JPP) [Entered: 12/05/2006 04:26 PM]
40 pg, 144.64 KB
- 12/05/2006  BRIEF FILED - Reply brief - Terry Mapes, John Baldwin, Haywood Belle, Robyn Mills, Arthur Neu, Walter Reed, Gary Maynard . 16 pages 10 copies - w/service 12/4/06 - with diskette. Defects: point typesize too small, needs word count. [06-2741] [2115622] (JPP) [Entered: 12/05/2006 04:49 PM]
22 pg, 57.58 KB
- 12/12/2006 TO SCREENING to rw. [06-2741] (BWB) [Entered: 12/12/2006 07:10 AM]
- 12/13/2006 RECORDS received: Exhibits, Located in: STL, consisting of one large box of Trial Exhibits. [Return to the District Court at end of case] [06-2741] (STL) [Entered: 12/13/2006 03:11 PM]
- 12/18/2006 BRIEF FILED - CORRECTED BRIEF correcting Doc. No., [2115622-2], brief Reply of state appellants. [3260832-1] [06-2741] (JPP) [Entered: 12/19/2006 04:56 PM]
- 12/21/2006 APPEARANCE FILED by Attorney Mr. Daniel Mach for Amici on Behalf of Appellee Amer.Civ.Lib. of IA and American Civil Liberties Union [3264588] [06-2741] (JPP) [Entered: 01/03/2007 04:46 PM]
- 12/21/2006 APPEARANCE FILED by Attorney Mr. Joshua D. Weinberg for Amici on Behalf of Appellee American Jewish Congress [3264593] [06-2741] (JPP) [Entered: 01/03/2007 04:58 PM]
- 12/22/2006 APPEARANCE FILED by Attorney K. Hollyn Hollman for Amicus on Behalf of Appellee Baptist Joint Committee for Religious Liberty [3264585] [06-2741] (JPP) [Entered: 01/03/2007 04:40 PM]
- 01/12/2007 SET FOR ARGUMENT - CASE PLACED ON CALENDAR - for Argument in St. Louis on 02/13/2007. To be heard before Judges Sandra Day O'Connor, Roger L. Wollman, Duane Benton, St Louis Division II. All attorneys presenting oral argument must complete a response form, which may be found at <http://www.ca8.uscourts.gov/webcal/response/feb07stl.pdf> For the complete calendar go to <http://www.ca8.uscourts.gov/webcal/feb07stl.pdf> [06-2741] (KAS) [Entered: 01/12/2007 03:26 PM]
- 02/12/2007 28(j) citation filed by Americans United For Separation of Church and State, Ms. Carol Delp, Ardene McKeag, Ms. Dorothy Redd and Ms. Sandra Sobotka. [3277708] [06-2741] (CMD) [Entered: 02/12/2007 09:17 AM]
- 02/13/2007  ARGUED & SUBMITTED in St. Louis to Judges Sandra Day O'Connor ; Roger L. Wollman ; Duane Benton Mr. Gordon Eugene Allen for Appellants Ms. Robyn Mills, Mr. Arthur Neu, Mr. Gary Maynard, Mr. Haywood Belle, John Baldwin and Terry Mapes, Mr. Anthony R. Picarello, Jr. for Appellants Innerchange Freedom Initiative Program and Prison Fellowship Ministries and Mr. Alex J. Luchenitser for Appellees Ms. Carol Delp, Ms. Sandra Sobotka, Ms. Dorothy Redd, Ardene McKeag and Americans United For Separation of Church and State. Rebuttal by Mr. Gordon Eugene Allen for Ms. Robyn Mills, Mr. Arthur Neu, Mr. Gary Maynard, Mr. Haywood Belle, John Baldwin and Terry Mapes RECORDED [3278529] [06-2741] (CMD) [Entered: 02/13/2007 02:47 PM]
1 pg, 12.8 KB
- 02/23/2007 RECORD FILED - Record Part: EXHIBITS, Volumes Location: STL, Comments: 2 large boxes containing 15 three ring binders containing Plaintiff Exhibits 1 - 426 and 463 - 474. [Return to the District Court at

end of case], Source Location: USDC / SIDM [3281773] [06-2741] (STL) [Entered: 02/25/2007 11:55 AM]

- 06/29/2007 LETTER from Appellants John Baldwin, Mr. Haywood Belle, Terry Mapes, Mr. Gary Maynard, Ms. Robyn Mills, Mr. Arthur Neu and Mr. Walter Reed, Jr. w/service DISREGARD ENTRY. COUNSEL FILED UNDER INCORRECT EVENT. CONTACTED COUNSEL TO REFILE UNDER RULE 28J.[3324716] [06-2741] (HLW) [Entered: 06/29/2007 03:54 PM]
- 06/29/2007  28(j) citation filed by Appellants Innerchange Freedom Initiative Program and Prison Fellowship Ministries. , w/service 06/29/2007 [3324777] [06-2741] (ARP) [Entered: 06/29/2007 05:46 PM]
94 pg, 1020.28 KB
- 06/29/2007  28(j) citation filed by Appellants Innerchange Freedom Initiative Program and Prison Fellowship Ministries. , w/service 06/29/2007 [3324778] [06-2741] (ARP) [Entered: 06/29/2007 06:03 PM]
31 pg, 288.54 KB
- 06/29/2007  CORRECTED certificate of service for 28(j) citation , Doc No. [3324777-2], 28(j) citation , Doc No. [3324778-2], filed by Appellants Innerchange Freedom Initiative Program and Prison Fellowship Ministries [3324782] [06-2741] (ARP) [Entered: 06/29/2007 07:27 PM]
3 pg, 96.14 KB
- 07/02/2007  28(j) citation filed by Appellants John Baldwin, Mr. Haywood Belle, Terry Mapes, Mr. Gary Maynard, Ms. Robyn Mills, Mr. Arthur Neu and Mr. Walter Reed, Jr. , w/service 07/02/2007 [3325013] [06-2741] (HLW) [Entered: 07/02/2007 10:51 AM]
2 pg, 88.43 KB
- 07/05/2007  Response of Appellees Americans United For Separation of Church and State, Ms. Carol Delp, Ardene McKeag, Ms. Dorothy Redd and Ms. Sandra Sobotka to 28(j) citation , [3325013-2], filed by Ms. Robyn Mills, Mr. Arthur Neu, Mr. Gary Maynard, Mr. Walter Reed, Jr., Mr. Haywood Belle, John Baldwin, Terry Mapes and Ms. Robyn Mills, Mr. Arthur Neu, Mr. Gary Maynard, Mr. Walter Reed, Jr., Mr. Haywood Belle and John Baldwin in 06-2741. w/service 07/05/2007 [3326802] [06-2741] (AJL) [Entered: 07/05/2007 06:44 PM]
3 pg, 27.07 KB
- 07/05/2007  Response of Appellees Americans United For Separation of Church and State, Ms. Carol Delp, Ardene McKeag, Ms. Dorothy Redd and Ms. Sandra Sobotka to 28(j) citation , [3324778-2], filed by Innerchange Freedom Initiative Program, Prison Fellowship Ministries and Innerchange Freedom Initiative Program and Prison Fellowship Ministries in 06-2741. w/service 07/05/2007 [3326803] [06-2741] (AJL) [Entered: 07/05/2007 06:48 PM]
3 pg, 27.1 KB
- 07/05/2007  Response of Appellees Americans United For Separation of Church and State, Ms. Carol Delp, Ardene McKeag, Ms. Dorothy Redd and Ms. Sandra Sobotka to 28(j) citation , [3324777-2], filed by Innerchange Freedom Initiative Program, Prison Fellowship Ministries and Innerchange Freedom Initiative Program and Prison Fellowship Ministries in 06-2741. w/service 07/05/2007 [3326804] [06-2741] (AJL) [Entered: 07/05/2007 06:50 PM]
3 pg, 27.43 KB
- 07/11/2007  MOTION of Appellants Innerchange Freedom Initiative Program and Prison Fellowship Ministries to dismiss a portion of the appeal. w/service 07/11/2007 [3328829] [06-2741] (ARP) [Entered: 07/11/2007 06:45 PM]
12 pg, 103.49 KB
- 07/12/2007  MOTION of Appellees Americans United For Separation of Church and State, Ms. Carol Delp, Ardene McKeag, Ms. Dorothy Redd and Ms. Sandra Sobotka for extension of time to file response to motion dismiss portion of appeal, [3328829-3], , motion to dismiss case, [3328829-2], until 08/09/2007 at 11:59 pm. Document attached:lcAppMtExtOppMtDis.pdf. [3329313] [06-2741] (AJL) [Entered: 07/12/2007 06:37 PM]
4 pg, 12.83 KB
- 07/12/2007  RESPONSE of Appellants John Baldwin, Mr. Haywood Belle, Innerchange Freedom Initiative Program, Terry Mapes, Mr. Gary Maynard, Ms. Robyn Mills, Mr. Arthur Neu, Prison Fellowship Ministries and Mr. Walter Reed, Jr. , in opposition to motion for extension of time to file a response, [3329313-2], filed by Ms. Carol Delp, Ms. Sandra Sobotka, Ms. Dorothy Redd, Ardene McKeag and Americans United For Separation of Church and State in 06-2741. w/service 07/12/2007. Documents attached:7-12-07 Opposition to Motion for Extension of Time.pdf [3329314] [06-2741] (ARP) [Entered: 07/12/2007 07:14 PM]
4 pg, 141.79 KB
- 07/12/2007  Reply of Appellees Americans United For Separation of Church and State, Ms. Carol Delp, Ardene McKeag, Ms. Dorothy Redd and Ms. Sandra Sobotka , to response , [3329314-2], filed by Ms. Robyn Mills, Mr. Arthur Neu, Mr. Gary Maynard, Innerchange Freedom Initiative Program, Mr. Walter Reed, Jr., Mr. Haywood Belle, John Baldwin, Prison Fellowship Ministries, Terry Mapes and Ms. Robyn Mills, Mr. Arthur Neu, Mr. Gary Maynard, Innerchange Freedom Initiative Program, Mr. Walter Reed, Jr., Mr. Haywood Belle, John Baldwin and Prison Fellowship Ministries in 06-2741 , motion for extension of time to file a response, [3329313-2], filed by Ms. Carol Delp, Ms. Sandra Sobotka, Ms. Dorothy Redd, Ardene McKeag and Americans United For Separation of Church and State in 06-2741. w/service 07/12/2007. Documents attached:lcAppMtExtOppMtDisRep.pdf [3329315] [06-2741] (AJL) [Entered: 07/12/2007 09:15 PM]
4 pg, 59.38 KB
- 07/18/2007  JUDGE ORDER:Granting [3329313-2] motion for extension of time to file a response filed by Appellees Ms. Carol Delp, Ms. Sandra Sobotka, Ms. Dorothy Redd, Ardene McKeag and Americans United For Separation of Church and State. [3330962] [06-2741] (PAW) [Entered: 07/18/2007 11:48 AM]
2 pg, 14.45 KB
- 08/09/2007  RESPONSE of Appellees Americans United For Separation of Church and State, Ms. Carol Delp, Ardene

24 pg, 80.23 KB	McKeag, Ms. Dorothy Redd and Ms. Sandra Sobotka , in opposition to motion dismiss portion of appeal, [3328829-3] , filed by Ms. Robyn Mills, Mr. Arthur Neu, Mr. Gary Maynard, Innerchange Freedom Initiative Program, Mr. Walter Reed, Jr., Mr. Haywood Belle, John Baldwin, Prison Fellowship Ministries, Terry Mapes and Ms. Robyn Mills, Mr. Arthur Neu, Mr. Gary Maynard, Innerchange Freedom Initiative Program, Mr. Walter Reed, Jr., Mr. Haywood Belle, John Baldwin and Prison Fellowship Ministries in 06-2741 , motion to dismiss case, [3328829-2] , filed by Ms. Robyn Mills, Mr. Arthur Neu, Mr. Gary Maynard, Innerchange Freedom Initiative Program, Mr. Walter Reed, Jr., Mr. Haywood Belle, John Baldwin, Prison Fellowship Ministries, Terry Mapes and Ms. Robyn Mills, Mr. Arthur Neu, Mr. Gary Maynard, Innerchange Freedom Initiative Program, Mr. Walter Reed, Jr., Mr. Haywood Belle, John Baldwin and Prison Fellowship Ministries in 06-2741. w/service 08/09/2007. Documents attached:lcAppMtDisOppFin.pdf [3340017] [06-2741] (AJL) [Entered: 08/09/2007 10:30 PM]
08/16/2007  14 pg, 50.33 KB	Reply of Appellants Innerchange Freedom Initiative Program and Prison Fellowship Ministries , to response , [3340017-2] , filed by Ms. Carol Delp, Ms. Sandra Sobotka, Ms. Dorothy Redd, Ardene McKeag and Americans United For Separation of Church and State in 06-2741. w/service 08/16/2007. Documents attached:08-16-07 Reply ISO Motion to Dismiss.pdf [3342369] [06-2741] (ARP) [Entered: 08/16/2007 07:07 PM]
11/02/2007  59 pg, 277.78 KB	28(j) citation filed by Appellants Innerchange Freedom Initiative Program and Prison Fellowship Ministries. , w/service 11/02/2007 [3369065] [06-2741] (ECR) [Entered: 11/02/2007 04:52 PM]
11/02/2007  3 pg, 26.77 KB	Response of Appellees Americans United For Separation of Church and State, Ms. Carol Delp, Ardene McKeag, Ms. Dorothy Redd, Ms. Sandra Sobotka and Not Party Mr. Jerry Dean Ashburn and Mr. Bobby Shelton to 28(j) citation , [3369065-2] , filed by Innerchange Freedom Initiative Program, Prison Fellowship Ministries and Innerchange Freedom Initiative Program and Prison Fellowship Ministries in 06-2741. w/service 11/02/2007 [3369091] [06-2741] (AJL) [Entered: 11/02/2007 08:10 PM]
11/05/2007  1 pg, 15.76 KB	CORRECTED certificate of service for 28(j) citation , Doc No. [3369065-2] , filed by Appellants Innerchange Freedom Initiative Program and Prison Fellowship Ministries [3369300] [06-2741] (ECR) [Entered: 11/05/2007 10:31 AM]
12/03/2007  31 pg, 110.21 KB	OPINION FILED - THE COURT: SANDRA DAY O'CONNOR, ROGER L. WOLLMAN and DUANE BENTON. Duane Benton, Authoring Judge (PUBLISHED) [3377957] [06-2741] (PAW) [Entered: 12/03/2007 08:18 AM]
12/03/2007  2 pg, 14.58 KB	JUDGMENT FILED - The judgment of the originating court is AFFIRMED in part, REVERSED in part and REMANDED in accordance with the opinion. SANDRA DAY O'CONNOR, ROGER L. WOLLMAN and DUANE BENTON Hrg Feb 2007 [3377992] [06-2741] (PAW) [Entered: 12/03/2007 09:08 AM]
12/03/2007  2 pg, 16.33 KB	CLERK LETTER sent regarding misinformation on docket sheet and letter to West regarding who argued for who. [3378031] [06-2741] (PAW) [Entered: 12/03/2007 09:53 AM]
12/03/2007  2 pg, 16.19 KB	CLERK LETTER sent regarding misinformation on West letter . [3378080] [06-2741] (PAW) [Entered: 12/03/2007 10:31 AM]
12/17/2007  20 pg, 1.29 MB	PETITION for en banc rehearing filed by Appellants John Baldwin, Mr. Haywood Belle, Innerchange Freedom Initiative Program, Terry Mapes, Mr. Gary Maynard, Ms. Robyn Mills, Mr. Arthur Neu, Prison Fellowship Ministries and Mr. Walter Reed, Jr.. w/service 12/17/2007. [3383242] [06-2741] (ECR) [Entered: 12/17/2007 05:27 PM]
01/09/2008  2 pg, 14.32 KB	JUDGE ORDER:denying [3383242-2] petition for en banc rehearing filed by Appellants Ms. Robyn Mills, Mr. Arthur Neu, Mr. Gary Maynard, Innerchange Freedom Initiative Program, Mr. Walter Reed, Jr., Mr. Haywood Belle, John Baldwin, Prison Fellowship Ministries, Terry Mapes and Not Party Ms. Robyn Mills, Mr. Arthur Neu, Mr. Gary Maynard, Innerchange Freedom Initiative Program, Mr. Walter Reed, Jr., Mr. Haywood Belle, John Baldwin and Prison Fellowship Ministries. Petition for panel rehearing is also denied. Hrg Feb 2007 [3390065] [06-2741] (PAW) [Entered: 01/09/2008 03:03 PM]
01/16/2008  2 pg, 14.34 KB	MANDATE ISSUED. [3392424] [06-2741] (PAW) [Entered: 01/16/2008 12:16 PM]

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