

CLOSED

**U.S. District Court  
Eastern District of Virginia – (Richmond)  
CIVIL DOCKET FOR CASE #: 3:10-cv-00070-REP**

Burnette et al v. Fahey et al  
Assigned to: District Judge Robert E. Payne  
Case in other court: 11-01324  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 02/03/2010  
Date Terminated: 10/25/2010  
Jury Demand: None  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

**Plaintiff**

**Sharon Burnette**

represented by **Stephen Atherton Northup**  
Troutman Sanders LLP (Richmond)  
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Richmond, VA 23219  
(804) 697-1200  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Abigail Turner**  
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**ATTORNEY TO BE NOTICED**

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**ATTORNEY TO BE NOTICED**

**Gail Starling Marshall**  
Legal Aid Justice Center (Charlottesville)  
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434-977-0553  
**ATTORNEY TO BE NOTICED**

**Robert Armistead Angle**  
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Email: [robert.angle@troutmansanders.com](mailto:robert.angle@troutmansanders.com)  
**ATTORNEY TO BE NOTICED**

**William Rowland Richardson , Jr.**  
2674 Marcey Road

Arlington, VA 22207  
703-447-8328  
Fax: 703-525-5270  
Email: [wrr2674@verizon.net](mailto:wrr2674@verizon.net)  
*TERMINATED: 12/02/2010*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Pamela K. Burroughs**

represented by **Stephen Atherton Northup**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Abigail Turner**  
(See above for address)

**Alex Ross Gulotta**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Gail Starling Marshall**  
(See above for address)

**Robert Armistead Angle**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William Rowland Richardson , Jr.**  
(See above for address)  
*TERMINATED: 12/02/2010*

**Plaintiff**

**Frank Carter, Jr.**

represented by **Stephen Atherton Northup**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Abigail Turner**  
(See above for address)

**Alex Ross Gulotta**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Gail Starling Marshall**  
(See above for address)

**Robert Armistead Angle**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William Rowland Richardson , Jr.**  
(See above for address)  
*TERMINATED: 12/02/2010*

**Plaintiff**

**Edward Conquest**

represented by **Stephen Atherton Northup**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Abigail Turner**  
(See above for address)

**Alex Ross Gulotta**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Gail Starling Marshall**  
(See above for address)

**Robert Armistead Angle**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William Rowland Richardson , Jr.**  
(See above for address)  
*TERMINATED: 12/02/2010*

**Plaintiff**

**Donald W. Hoffman**

represented by **Stephen Atherton Northup**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Abigail Turner**  
(See above for address)

**Alex Ross Gulotta**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Gail Starling Marshall**  
(See above for address)

**Robert Armistead Angle**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William Rowland Richardson , Jr.**  
(See above for address)  
*TERMINATED: 12/02/2010*

**Plaintiff**

**Monty King**  
*formerly known as*  
Imond Monty Hicks

represented by **Stephen Atherton Northup**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Abigail Turner**  
(See above for address)

**Alex Ross Gulotta**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Gail Starling Marshall**  
(See above for address)

**Robert Armistead Angle**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William Rowland Richardson , Jr.**  
(See above for address)  
*TERMINATED: 12/02/2010*

**Plaintiff**

**Larry Macon**

represented by **Stephen Atherton Northup**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Abigail Turner**  
(See above for address)

**Alex Ross Gulotta**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Gail Starling Marshall**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Robert Armistead Angle**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William Rowland Richardson , Jr.**  
(See above for address)  
*TERMINATED: 12/02/2010*

**Plaintiff**

**Marvin McClain**

represented by **Stephen Atherton Northup**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Abigail Turner**  
(See above for address)

**Alex Ross Gulotta**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Gail Starling Marshall**  
(See above for address)

**Robert Armistead Angle**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William Rowland Richardson , Jr.**  
(See above for address)  
*TERMINATED: 12/02/2010*

**Plaintiff**

**Benjamin Perdue, Jr.**

represented by **Stephen Atherton Northup**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Abigail Turner**  
(See above for address)

**Alex Ross Gulotta**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Gail Starling Marshall**  
(See above for address)

**Robert Armistead Angle**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William Rowland Richardson , Jr.**  
(See above for address)  
*TERMINATED: 12/02/2010*

**Plaintiff**

**Henry Stump**

represented by **Stephen Atherton Northup**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Abigail Turner**  
(See above for address)

**Alex Ross Gulotta**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Gail Starling Marshall**  
(See above for address)

**Robert Armistead Angle**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William Rowland Richardson , Jr.**  
(See above for address)  
*TERMINATED: 12/02/2010*

**Plaintiff**

**Barbara Tabor**  
*Suing on behalf of themselves and all  
others similarly situated*

represented by **Stephen Atherton Northup**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Abigail Turner**  
(See above for address)

**Alex Ross Gulotta**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Gail Starling Marshall**  
(See above for address)

**Robert Armistead Angle**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William Rowland Richardson , Jr.**  
(See above for address)  
*TERMINATED: 12/02/2010*

**Defendant**

**Helen F. Fahey**  
*In her capacity as Chair of the Virginia  
Parole Board*

represented by **Richard Carson Vorhis**  
Office of the Attorney General (Richmond)  
202 North 9th Street

Richmond, VA 23219  
 (804) 786-4805  
 Fax: (804) 786-4239  
 Email: [rvorhis@oag.state.va.us](mailto:rvorhis@oag.state.va.us)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Carol Ann Sievers**  
*In her capacity as Vice-Chair of the  
 Virginia Parole Board*

represented by **Richard Carson Vorhis**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Jackie T. Stump**  
*In his capacity as a Member of the  
 Virginia Parole Board*

represented by **Richard Carson Vorhis**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Michael M. Hawes**  
*In his capacity as a Member of the  
 Virginia Parole Board*

represented by **Richard Carson Vorhis**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Rudolph C. McCollum, Jr.**  
*In his capacity as a Member of the  
 Virginia Parole Board*

represented by **Richard Carson Vorhis**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Movant**

**John R. Lay**  
*TERMINATED: 10/25/2010*  
*also known as*  
 John Robert Lay  
*TERMINATED: 10/25/2010*

represented by **John R. Lay**  
 1084578 / 367680  
 Nottoway Correctional Center  
 P.O. Box 488  
 Burkeville, VA 23922  
 PRO SE

**Movant**

**William L. A. Church**

represented by **William L. A. Church**  
 939047  
 Oklahoma Department of Corrections  
 Rt. 1, Box 8  
 Helena, OK 73741-9606  
 PRO SE

Date Filed	#	Docket Text
02/03/2010	<u>1</u>	COMPLAINT filed by Frank Carter, Jr, Edward Conquest, Sharon Burnette, Donald W. Hoffman, Monty King, Larry Macon, Marvin McClain, Benjamin Perdue, Jr., Henry Stump, Barbara Tabor, and Pamela K. Burroughs AGAINST all defendants. Filing Fee \$ 350; Receipt Number 34683006993.) (Attachments: # <u>1</u> Civil Cover Sheet, and # <u>2</u> Receipt)(lhin, ) (Entered: 02/03/2010)
02/03/2010	<u>2</u>	Summons Issued as to Helen F. Fahey, Carol Ann Sievers, Jackie T. Stump, Michael M. Hawes, and Rudolph C. McCollum, Jr. (Counsel to pick up summons for service). (lhin, ) (Entered: 02/03/2010)
02/04/2010		Remark - "Cause of Action" changed from 28:1391 Personal Injury to 42:1983 Prisoner Civil Rights. "Nature of Suit" changed from 440 Civil Rights: Other to 550

		Prisoner: Civil Rights (tdai, ) (Entered: 02/04/2010)
03/01/2010	<u>3</u>	MOTION to Dismiss by Helen F. Fahey, Carol Ann Sievers, Jackie T. Stump, Michael M. Hawes, Rudolph C. McCollum, Jr. (Vorhis, Richard) (Entered: 03/01/2010)
03/01/2010	<u>4</u>	Memorandum in Support re <u>3</u> MOTION to Dismiss filed by Helen F. Fahey, Carol Ann Sievers, Jackie T. Stump, Michael M. Hawes, Rudolph C. McCollum, Jr. (Vorhis, Richard) (Entered: 03/01/2010)
03/15/2010	<u>5</u>	Memorandum in Opposition re <u>3</u> MOTION to Dismiss filed by Sharon Burnette, Pamela K. Burroughs, Frank Carter, Jr, Edward Conquest, Donald W. Hoffman, Monty King, Larry Macon, Marvin McClain, Benjamin Perdue, Jr, Henry Stump, Barbara Tabor. (Northup, Stephen) (Entered: 03/15/2010)
03/18/2010	<u>6</u>	Response to <u>5</u> Memorandum in Opposition, filed by Helen F. Fahey, Michael M. Hawes, Rudolph C. McCollum, Jr, Carol Ann Sievers, Jackie T. Stump. (Attachments: # <u>1</u> Unpublished Opinion – Patterson v. Kaine, # <u>2</u> Unpublished Opinion – Bowling v. Johnson, # <u>3</u> Unpublished Opinion – Williams v. Johnson, # <u>4</u> Unpublished Opinion – Lyons v. U.S. Parole Comm.)(Vorhis, Richard) (Entered: 03/18/2010)
03/23/2010	<u>7</u>	MOTION for Leave to File <i>Surreply Memorandum in Opposition to Motion to Dismiss</i> by Sharon Burnette, Pamela K. Burroughs, Frank Carter, Jr, Edward Conquest, Donald W. Hoffman, Monty King, Larry Macon, Marvin McClain, Benjamin Perdue, Jr, Henry Stump, Barbara Tabor. (Attachments: # <u>1</u> Exhibit)(Northup, Stephen) (Entered: 03/23/2010)
03/26/2010	<u>8</u>	MOTION for Joinder by John R. Lay. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope)(tdai, ) (Entered: 03/26/2010)
03/29/2010	<u>9</u>	ORDER GRANTING Plaintiffs' <u>7</u> Motion for Leave to File Surreply Memorandum in Opposition to Motion to Dismiss; It is further Ordered that the plaintiffs shall file their surreply forthwith. Signed by District Judge Robert E. Payne on 3/29/2010. (lhin, ) (Entered: 03/29/2010)
03/30/2010	<u>10</u>	Response <i>Surreply Memorandum in Opposition to Motion to Dismiss</i> filed by Sharon Burnette, Pamela K. Burroughs, Frank Carter, Jr, Edward Conquest, Donald W. Hoffman, Monty King, Larry Macon, Marvin McClain, Benjamin Perdue, Jr, Henry Stump, Barbara Tabor. (Northup, Stephen) (Entered: 03/30/2010)
04/20/2010		Set/Reset Hearings: Motion Hearing set for 5/11/2010 at 10:00 AM before District Judge Robert E. Payne. (sneal, ) (Entered: 04/20/2010)
04/26/2010	<u>11</u>	Notice of Hearing Date set for 05/11/2010 re <u>3</u> MOTION to Dismiss (Vorhis, Richard) (Entered: 04/26/2010)
04/27/2010	<u>12</u>	CERTIFICATE of Service ( <i>Amended</i> ) re <u>11</u> Notice of Hearing Date by Richard Carson Vorhis on behalf of Helen F. Fahey, Michael M. Hawes, Rudolph C. McCollum, Jr, Carol Ann Sievers, Jackie T. Stump (Vorhis, Richard) (Entered: 04/27/2010)
05/06/2010	<u>13</u>	ORDER re hearing on <u>3</u> MOTION to Dismiss scheduled for May 11, 2010 at 10:00 a.m. is RESCHEDULED to May 11, 2010 at 11:00 a.m. Signed by District Judge Robert E. Payne on 5/6/2010. (lhin, ) (Entered: 05/06/2010)
05/11/2010	<u>14</u>	Minute Entry for proceedings held before District Judge Robert E. Payne: Motion Hearing held on 5/11/2010 re <u>3</u> MOTION to Dismiss filed by Carol Ann Sievers, Rudolph C. McCollum, Jr., Jackie T. Stump, Michael M. Hawes, Helen F. Fahey; matter submitted to court; opinion to enter (Court Reporter Peppy Strahan, OCR.) (wtuc) (Entered: 05/11/2010)
05/26/2010	<u>15</u>	MOTION for Leave to File <i>Limited Discovery</i> by Sharon Burnette, Pamela K. Burroughs, Frank Carter, Jr, Edward Conquest, Donald W. Hoffman, Monty King, Larry Macon, Marvin McClain, Benjamin Perdue, Jr, Henry Stump, Barbara Tabor. (Northup, Stephen) (Entered: 05/26/2010)
05/26/2010	<u>16</u>	Memorandum in Support re <u>15</u> MOTION for Leave to File <i>Limited Discovery Prior to a Rule 26(f) Conference</i> filed by Sharon Burnette, Pamela K. Burroughs, Frank Carter, Jr, Edward Conquest, Donald W. Hoffman, Monty King, Larry Macon, Marvin McClain, Benjamin Perdue, Jr, Henry Stump, Barbara Tabor. (Attachments: # <u>1</u>

		Exhibit)(Northup, Stephen) (Entered: 05/26/2010)
06/09/2010	<u>17</u>	Opposition to <u>15</u> MOTION for Leave to File <i>Limited Discovery</i> filed by Helen F. Fahey, Michael M. Hawes, Rudolph C. McCollum, Jr, Carol Ann Sievers, Jackie T. Stump. (Vorhis, Richard) Modified filer text from Henry Stump to Jackie T. Stump on 6/9/2010 (tdai, ). (Entered: 06/09/2010)
06/09/2010	<u>18</u>	Memorandum in Support re <u>15</u> MOTION for Leave to File <i>Limited Discovery</i> filed by Helen F. Fahey, Michael M. Hawes, Rudolph C. McCollum, Jr, Carol Ann Sievers, Jackie T. Stump. (Vorhis, Richard) (Entered: 06/09/2010)
06/09/2010		Notice of Correction re <u>17</u> Opposition. Henry Stump removed and replaced by Jackie T. Stump as part filer to <u>17</u> Opposition. The docket has been corrected. No further action is required. (tdai, ) (Entered: 06/09/2010)
06/28/2010	<u>19</u>	LETTER from chambers dated June 25, 2010 re Letter RECEIVED from Elvira M. Grasty. (lhin, ) (Entered: 06/28/2010)
10/25/2010	<u>20</u>	*** AMENDED IN PART. SEE <u>22</u> ORDER *** MEMORANDUM OPINION. Signed by District Judge Robert E. Payne on 10/25/2010. (lhin, ) Modified text on 11/18/2010 (tdai, ). (Entered: 10/25/2010)
10/25/2010	<u>21</u>	*** AMENDED IN PART. SEE <u>23</u> ORDER *** ORDER DENYING <u>3</u> Motion to Dismiss; DENYING John R. Lay's <u>8</u> Motion for Joinder as Party Petitioner/Plaintiff; DENYING Plaintiff's <u>15</u> Motion for Leave to Conduct Limited Discovery Prior to a Rule 26(f) Conference; and the action is DISMISSED WITH PREJUDICE. Signed by District Judge Robert E. Payne on 10/25/2010. Copies sent to John R. Jay as directed. (lhin, ) Modified text on 11/18/2010 (tdai, ). (Entered: 10/25/2010)
10/25/2010		Case Dismissed Per Order dated 10/25/2010. (lhin, ) (Entered: 11/12/2010)
10/28/2010	<u>22</u>	ORDER that the <u>20</u> Memorandum Opinion is AMENDED to correct the second sentence in the first full paragraph on page 28 to read: "Therefore, the MOTION TO DISMISS (Docket No. 3) will be GRANTED." Signed by District Judge Robert E. Payne on 10/27/2010. Copies mailed. (lhin, ) (Entered: 10/28/2010)
10/28/2010	<u>23</u>	ORDER: It is hereby ORDERED that the Order (Docket No. 21) is AMENDED to correct paragraph (1) to read: "The MOTION TO DISMISS (Docket No. 3) is GRANTED." Signed by District Judge Robert E. Payne on 10/27/2010. Copies mailed. (lhin, ) (Entered: 10/28/2010)
11/12/2010	<u>24</u>	MOTION to Withdraw as Attorney by Sharon Burnette, Pamela K. Burroughs, Frank Carter, Jr, Edward Conquest, Donald W. Hoffman, Monty King, Larry Macon, Marvin McClain, Benjamin Perdue, Jr, Henry Stump, Barbara Tabor. (Richardson, William) (Entered: 11/12/2010)
11/22/2010	<u>25</u>	MOTION to Alter Judgment by Sharon Burnette, Pamela K. Burroughs, Frank Carter, Jr, Edward Conquest, Donald W. Hoffman, Monty King, Larry Macon, Marvin McClain, Benjamin Perdue, Jr, Henry Stump, Barbara Tabor. (Northup, Stephen) (Entered: 11/22/2010)
11/22/2010	<u>26</u>	Memorandum in Support re <u>25</u> MOTION to Alter Judgment <i>Pursuant to Rule 59(E)</i> filed by Sharon Burnette, Pamela K. Burroughs, Frank Carter, Jr, Edward Conquest, Donald W. Hoffman, Monty King, Larry Macon, Marvin McClain, Benjamin Perdue, Jr, Henry Stump, Barbara Tabor. (Northup, Stephen) (Entered: 11/22/2010)
12/02/2010	<u>27</u>	ORDER GRANTING <u>24</u> MOTION to Withdraw William R. Richardson, Esquire as counsel for the plaintiffs. Signed by District Judge Robert E. Payne on 12/1/2010. (lhin, ) (Entered: 12/02/2010)
12/07/2010	<u>28</u>	(FILED IN ERROR) Opposition <i>To Plaintiff's Motion To Alter Or Amend Judgment Pursuant to Rule 59(e)</i> filed by Helen F. Fahey, Michael M. Hawes, Rudolph C. McCollum, Jr, Carol Ann Sievers, Jackie T. Stump. (Vorhis, Richard) Modified on 12/7/2010 (lhin, ). (Entered: 12/07/2010)
12/07/2010	<u>29</u>	MOTION <i>In Opposition To Plaintiff's Motion To Alter Or Amend Judgment Pursuant To Rule 59(e)</i> by Helen F. Fahey, Michael M. Hawes, Rudolph C. McCollum, Jr, Carol Ann Sievers, Jackie T. Stump. (Vorhis, Richard) (Entered: 12/07/2010)



12/07/2010	<u>30</u>	Memorandum in Support re <u>29</u> MOTION <i>In Opposition To Plaintiff's Motion To Alter Or Amend Judgment Pursuant To Rule 59(e)</i> filed by Helen F. Fahey, Michael M. Hawes, Rudolph C. McCollum, Jr, Carol Ann Sievers, Jackie T. Stump. (Vorhis, Richard) (Entered: 12/07/2010)
12/13/2010	<u>31</u>	RESPONSE in Support re <u>25</u> MOTION to Alter Judgment <i>Pursuant to Rule 59(E)</i> filed by Sharon Burnette, Pamela K. Burroughs, Frank Carter, Jr, Helen F. Fahey, Donald W. Hoffman, Monty King, Larry Macon, Marvin McClain, Benjamin Perdue, Jr, Henry Stump, Barbara Tabor. (Northup, Stephen) (Entered: 12/13/2010)
01/26/2011	<u>32</u>	MOTION for Joinder "to be added to this class action" by William L. A. Church. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope)(tdai, ) (Entered: 01/27/2011)
01/26/2011	<u>33</u>	MOTION for permission to file for injunctive relief for an identification hearing among other injunctive relief by William L. A. Church. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope)(tdai, ) (Entered: 01/27/2011)
03/01/2011	<u>34</u>	MEMORANDUM OPINION. Signed by District Judge Robert E. Payne on 3/1/2011. (lhin, ) (Entered: 03/01/2011)
03/01/2011	<u>35</u>	ORDER DENYING <u>25</u> Plaintiff's Motion to Alter Judgment; GRANTING <u>29</u> defendant's Motion in opposition to the Motion to Alter Judgment; DENYING <u>32</u> William Church's Motion to be Added to this Class Action; DENYING <u>33</u> Motion for Permission to File for Injunctive Relief; plaintiff may file a written notice of appeal within thirty (30) days of the date hereof. Signed by District Judge Robert E. Payne on 3/1/2011. Copies sent to counsel of record as directed. (lhin, ) (Entered: 03/01/2011)
03/30/2011	<u>36</u>	NOTICE OF APPEAL as to <u>35</u> Order on Motion to Alter Judgment, Order on Motion for Miscellaneous Relief, Order on Motion for Joinder, <u>21</u> Order, <u>23</u> Order by Sharon Burnette, Pamela K. Burroughs, Frank Carter, Jr, Edward Conquest, Donald W. Hoffman, Monty King, Larry Macon, Marvin McClain, Benjamin Perdue, Jr, Henry Stump, Barbara Tabor. (Luck, Robert) Modified docket text on 3/30/2011 (jtho, ). (Entered: 03/30/2011)
04/01/2011	<u>37</u>	Transmission of Notice of Appeal to US Court of Appeals re <u>36</u> Notice of Appeal, (All case opening forms, plus the transcript guidelines, may be obtained from the Fourth Circuit's website at www.ca4.uscourts.gov) (jgra, ) (Main Document 37 replaced on 4/4/2011) (jgra, ). (Entered: 04/01/2011)
04/04/2011	<u>38</u>	USCA Appeal Fees received \$ 455, receipt number 34683012309, re <u>36</u> Notice of Appeal, filed by Barbara Tabor, Frank Carter, Jr., Edward Conquest, Henry Stump, Sharon Burnette, Marvin McClain, Larry Macon, Pamela K. Burroughs, Monty King, Benjamin Perdue, Jr., Donald W. Hoffman. (cmcc, ) (Entered: 04/04/2011)
04/12/2011		USCA Case Number 11-1324, Cyndi Halupa, case manager for <u>36</u> Notice of Appeal, filed by Barbara Tabor, Frank Carter, Jr., Edward Conquest, Henry Stump, Sharon Burnette, Marvin McClain, Larry Macon, Pamela K. Burroughs, Monty King, Benjamin Perdue, Jr., Donald W. Hoffman. (jgra, ) (Entered: 04/12/2011)
04/12/2011	<u>39</u>	TRANSCRIPT of proceedings for dates of May 11, 2010, before Judge Robert E. Payne, re <u>36</u> Notice of Appeal, Court Reporter Peppy Peterson, Telephone number 804-916-2267. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER Redaction Request due 5/12/2011. Redacted Transcript Deadline set for 6/13/2011. Release of Transcript Restriction set for 7/11/2011.(peterson, peppy) Modified on 5/3/2011 to edit. (cmcc, ). (Entered: 04/12/2011)
04/13/2011	<u>40</u>	Notice of Filing of Official Transcript filed on 4/12/2011 (Document # <u>39</u> ). (lhin, ) (Entered: 04/13/2011)
07/10/2012	<u>41</u>	Opinion of USCA, AFFIRMED the District Court ruling re <u>36</u> Notice of Appeal, attached copy of judgment will not take effect until issuance of the mandate. (jgra, ) (Entered: 07/10/2012)
07/10/2012	<u>42</u>	USCA JUDGMENT, AFFIRMED the judgment of the District Court as to <u>36</u> Notice of Appeal, filed by Barbara Tabor, Frank Carter, Jr., Edward Conquest, Henry Stump, Sharon Burnette, Marvin McClain, Larry Macon, Pamela K. Burroughs, Monty King,

		Benjamin Perdue, Jr., Donald W. Hoffman (jgra, ) (Entered: 07/10/2012)
07/24/2012	<u>43</u>	USCA Stay of Mandate, mandate stayed under Fed. R. App. P. 41 (d)(1) until disposition of the petition or motion re <u>36</u> Notice of Appeal, (jgra, ) (Entered: 07/24/2012)
11/15/2012	<u>44</u>	Published ORDER of USCA as to <u>36</u> Notice of Appeal, filed by Barbara Tabor, Frank Carter, Jr., Edward Conquest, Henry Stump, Sharon Burnette, Marvin McClain, Larry Macon, Pamela K. Burroughs, Monty King, Benjamin Perdue, Jr., Donald W. Hoffman : The petition for rehearing is denied, and, because the poll on rehearing en banc failed to produce a majority of judges in active service in favor of rehearing en banc, the petition for rehearing en banc is also denied. (lbre, ) (Entered: 11/19/2012)
11/26/2012	<u>45</u>	USCA Mandate, judgment of this court, entered 07/09/12, takes effect 11/26/12 re <u>36</u> Notice of Appeal, (jgra, ) (Entered: 11/26/2012)