

**U.S. District Court
Western District of Virginia (Roanoke)
CIVIL DOCKET FOR CASE #: 7:16-cv-00068-JPJ-PMS**

Greenhill v. Clarke et al
Assigned to: Judge James P. Jones
Referred to: Magistrate Judge Pamela Meade Sargent
Case in other court: USCA, 16-06542
USCA, 17-06696
18-07300

Cause: 42:1983 Prisoner Civil Rights

Plaintiff

Alfonza Hardy Greenhill

Date Filed: 02/19/2016
Jury Demand: Plaintiff
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

represented by **Jarred Lee Reiling**
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V.

Defendant

represented by

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TERMINATED: 04/29/2020
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Defendant

A. David Robinson
Chief of Corrections Operations of the
State of Virginia Department of
Corrections

represented by **Laura Haeberle Cahill**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mary Grace Miller
(See above for address)
TERMINATED: 04/29/2020
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Earl Barksdale
Warden of Red Onion State Prison

represented by **Laura Haeberle Cahill**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mary Grace Miller
(See above for address)
TERMINATED: 04/29/2020
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Date Filed	#	Docket Text
02/19/2016	<u>1</u>	COMPLAINT pursuant to 42 U.S.C. §1983 against All Defendants, filed by Alfonza Hardy Greenhill. (Attachments: # <u>1</u> Exhibit A thru J, # <u>2</u> Envelope)(slt)
02/19/2016	<u>2</u>	FINANCIAL AFFIDAVIT by Alfonza Hardy Greenhill (slt)
02/19/2016	<u>3</u>	Order entered Conditionally Filing this action pursuant to 42 U.S.C. Section 1983; Advising inmate as to 3 strikes rule of PLRA; Assessing a filing fee; Deferring all action in this case; Advising inmate to comply within the allotted time and to notify of changes in address or risk dismissal. Signed by Magistrate Judge Robert S. Ballou on 2/19/2016. (slt)
02/24/2016	<u>4</u>	MOTION for Preliminary Injunction by Alfonza Hardy Greenhill. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Affidavit, # <u>3</u> Exhibit A – B)(tvt)

03/07/2016	<u>5</u>	Inmate Account Report by Alfonza Hardy Greenhill (tvt) (1) Affidavit)
03/07/2016	<u>6</u>	Statement of Assets by Alfonza Hardy Greenhill (tvt)
03/07/2016	<u>7</u>	Verified Statement by Plaintiff Alfonza Hardy Greenhill (tvt)
03/07/2016	<u>8</u>	Order entered Conditionally Filing this action pursuant to 42 U.S.C. Section 1983; Advising inmate as to 3 strikes rule of PLRA; Assessing a filing fee; Deferring all action in this case; Advising inmate to comply within the allotted time and to notify of changes in address or risk dismissal. Signed by Magistrate Judge Robert S. Ballou on 3/7/2016. (tvt)
03/16/2016	<u>9</u>	Additional Evidence re <u>4</u> Motion for Preliminary Injunction by Alfonza Hardy Greenhill (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope)(slt)
03/16/2016	<u>10</u>	Consent to Fee by Plaintiff Alfonza Hardy Greenhill (slt)
03/23/2016	<u>11</u>	Order entered Directing the Clerk to attempt service of process upon the named defendants. Signed by Magistrate Judge Robert S. Ballou on 3/23/2016. (slt)
03/23/2016	<u>12</u>	REQUEST FOR WAIVER of Service sent to Harold Clarke, et al on 3/23/2016. Waiver of Service due by 4/22/2016.(slt)
03/23/2016	<u>13</u>	OPINION. Signed by Judge James P. Jones on 3/23/2016. (slt)
03/23/2016	<u>14</u>	ORDER denying <u>4</u> Motion for Preliminary Injunction. Signed by Judge James P. Jones on 3/23/2016. (slt)
04/14/2016	<u>15</u>	NOTICE OF INTERLOCUTORY APPEAL as to <u>14</u> Order on Motion for Preliminary Injunction by Alfonza Hardy Greenhill. (tvt)
04/14/2016	<u>16</u>	Transmittal of Notice of Appeal to 4CCA re <u>15</u> Notice of Interlocutory Appeal NOTE: The Docketing Statement and Transcript Order Form are available on the 4th Circuit Court of Appeals website at www.ca4.uscourts.gov . If CJA24 form(s) are applicable, you must submit a separate Auth-24 for each court reporter from whom you wish to order a transcript through the District Court's eVoucher system. (tvt)
04/14/2016		Assembled Electronic Record Transmitted to 4CCA re <u>15</u> Notice of Interlocutory Appeal (tvt)
04/15/2016	<u>17</u>	NOTICE of Docketing Record on Appeal from USCA re <u>15</u> Notice of Interlocutory Appeal filed by Alfonza Hardy Greenhill. USCA Case Number 16-6542. Case Manager: Karen Stump. (am)
04/18/2016	<u>18</u>	NOTICE of Appearance by Laura Haerberle Cahill on behalf of Earl Barksdale, Harold W. Clarke, A. David Robinson (Cahill, Laura)
04/18/2016	<u>19</u>	WAIVER OF SERVICE Returned Executed by Earl Barksdale, A. David Robinson, Harold W. Clarke. Earl Barksdale waiver sent on 3/23/2016, answer due 5/23/2016; A. David Robinson waiver sent on 3/23/2016, answer due 5/23/2016; Harold W. Clarke waiver sent on 3/23/2016, answer due 5/23/2016.(Cahill, Laura)
05/13/2016	<u>20</u>	ORDER of USCA granting leave to proceed without full prepayment of fees as to <u>15</u> Notice of Interlocutory Appeal filed by Alfonza Hardy Greenhill (tvt)
05/18/2016	<u>21</u>	ANSWER to <u>1</u> Complaint by Earl Barksdale, Harold W. Clarke, A. David Robinson.(Cahill, Laura)
06/06/2016	<u>22</u>	REQUEST for Admissions by Alfonza Hardy Greenhill.(tvt)
06/13/2016	<u>23</u>	Order to Respond –defendants shall file any motion for summary judgment within 30 days from entry of this order, or this matter will be set for trial on the plaintiffs claims. Responses due by 7/13/2016. Signed by Magistrate Judge Robert S. Ballou on 6/13/2016. (slt)
07/11/2016	<u>24</u>	MOTION for Protective Order by Earl Barksdale, Harold W. Clarke, A. David Robinson.Motions referred to Judge Robert S. Ballou. (Cahill, Laura)
07/13/2016	<u>25</u>	MOTION for Summary Judgment by Earl Barksdale, Harold W. Clarke, A. David Robinson. (Cahill, Laura)

07/13/2016	<u>26</u>	Brief / Memorandum in Support re <u>25</u> MOTION for Summary Judgment . filed by Earl Barksdale, Harold W. Clarke, A. David Robinson. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2)(Cahill, Laura)
07/14/2016	<u>27</u>	Roseboro Notice and Notice to Parties of Right to Consent to Jurisdiction of United States Magistrate Judge re <u>25</u> MOTION for Summary Judgment Deadline set for 8/8/2016. (slt)
08/08/2016	<u>28</u>	RESPONSE in Opposition re <u>25</u> MOTION for Summary Judgment . filed by Alfonza Hardy Greenhill. (Attachments: # <u>1</u> Plaintiff's Brief, # <u>2</u> Plaintiff's Statement of Disputed Factual Issues)(tv) (tvt)
08/15/2016	<u>29</u>	ORDER denying <u>24</u> Motion for Protective Order; they are DIRECTED to file a joint response to plaintiff's request for admissions within 21 days after entry of this order, and plaintiff SHALL file any additional responses to defendants' summary judgment motion within 45 days from entry of this order. Signed by Magistrate Judge Robert S. Ballou on 8/15/2016. (tv) (tvt)
08/30/2016	<u>30</u>	Response re <u>29</u> Order on Motion for Protective Order, . filed by Earl Barksdale, Harold W. Clarke, A. David Robinson. (Cahill, Laura)
10/03/2016	<u>31</u>	RESPONSE/Declaration in Opposition re <u>25</u> MOTION for Summary Judgment . filed by Alfonza Hardy Greenhill. (Attachments: # <u>1</u> Brief in Opposition)(tv) (tvt)
12/22/2016	<u>32</u>	USCA Memorandum Opinion from 4th Circuit re <u>15</u> Notice of Interlocutory Appeal Affirmed in Part, Vacated in Part, and Remanded decided on 12/22/2016 (tv) (tvt)
12/22/2016	<u>33</u>	USCA JUDGMENT as to <u>15</u> Notice of Interlocutory Appeal filed by Alfonza Hardy Greenhill (tv) (tvt)
01/13/2017	<u>34</u>	MANDATE of USCA as to <u>15</u> Notice of Interlocutory Appeal filed by Alfonza Hardy Greenhill (slt)
01/13/2017	<u>35</u>	MOTION for Preliminary Injunction by Alfonza Hardy Greenhill. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Affidavit, # <u>3</u> Exhibit A- B)(tv) (tvt) (Entered: 01/25/2017)
01/13/2017	<u>36</u>	Additional Evidence regarding <u>35</u> Motion for Preliminary Injunction by Alfonza Hardy Greenhill (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Envelope)(tv) (tvt) (Entered: 01/25/2017)
02/06/2017	<u>37</u>	OPINION and ORDER REFERRING MOTION: <u>35</u> MOTION for Preliminary Injunction filed by Alfonza Hardy Greenhill; defendant's Motion for Summary Judgment (ECF No. 25) is STAYED, pending the outcome of the proceedings on the plaintiff's preliminary injunction motionMotion referred to Pamela Meade Sargent.. Signed by Judge James P. Jones on 2/6/2017. (tv) (tvt)
02/06/2017	<u>38</u>	MINUTE Order to Respond re <u>35</u> MOTION for Preliminary Injunction, <u>36</u> Additional Evidence Defendants' Responses due by 2/20/2017. Signed by Magistrate Judge Pamela Meade Sargent on 2/6/17. (PMS)
02/07/2017	<u>39</u>	NOTICE of Appearance by Mary Grace Miller on behalf of Earl Barksdale, Harold W. Clarke, A. David Robinson (Miller, Mary)
02/17/2017	<u>40</u>	RESPONSE in Opposition re <u>35</u> MOTION for Preliminary Injunction . filed by Earl Barksdale, Harold W. Clarke, A. David Robinson. (Attachments: # <u>1</u> Exhibit 1 - Affidavit of A. Duncan)(Miller, Mary)
03/20/2017	<u>41</u>	REPORT AND RECOMMENDATIONS re <u>35</u> MOTION for Preliminary Injunction filed by Alfonza Hardy Greenhill Objections to R&R due by 4/3/2017. Signed by Magistrate Judge Pamela Meade Sargent on 3/20/2017. (tv) (tvt)
04/10/2017	<u>42</u>	OBJECTION to <u>41</u> Report and Recommendations by Alfonza Hardy Greenhill. (Attachments: # <u>1</u> Memorandum in Support)(tv) (tvt)
05/10/2017	<u>43</u>	OPINION & ORDER denying <u>35</u> Motion for Preliminary Injunction; accepting <u>41</u> Report and Recommendations. Signed by Judge James P. Jones on 5/10/2017. (tv) (tvt)
05/10/2017	<u>44</u>	JUDGMENT : For reasons stated in the Opinion and Order, it is ORDERED and ADJUDGED that Plaintiff's action is hereby DISMISSED. The clerk shall close the case. Signed by Judge James P. Jones on 5/10/2017. (tv) (tvt)

05/11/2017	<u>45</u>	Order to Vacate <u>44</u> Judgment, it is ORDERED that the Judgment is VACATED and case place back on the docket. Signed by Judge James P. Jones on 5/11/2017. (tvf)
06/01/2017	<u>46</u>	NOTICE OF INTERLOCUTORY APPEAL as to <u>43</u> Order on Motion for Preliminary Injunction by Alfonza Hardy Greenhill. (tvf)
06/01/2017	<u>47</u>	Transmittal of Notice of Appeal to 4CCA re <u>46</u> Notice of Interlocutory Appeal NOTE: The Docketing Statement and Transcript Order Form are available on the 4th Circuit Court of Appeals website at www.ca4.uscourts.gov. If CJA24 form(s) are applicable, you must submit a separate Auth-24 for each court reporter from whom you wish to order a transcript through the District Court's eVoucher system. (tvf)
06/01/2017		Assembled Electronic Record Transmitted to 4CCA re <u>46</u> Notice of Interlocutory Appeal (tvf)
06/01/2017	<u>48</u>	NOTICE of Docketing Record on Appeal from USCA re <u>46</u> Notice of Interlocutory Appeal filed by Alfonza Hardy Greenhill. USCA Case Number 17-6696 case manager Cathy Poulsen (tvf)
06/20/2017	<u>49</u>	ORDER of USCA granting leave to proceed without full prepayment of fees as to <u>46</u> Notice of Interlocutory Appeal filed by Alfonza Hardy Greenhill (slt)
10/31/2017	<u>50</u>	USCA Memorandum Opinion from 4th Circuit re <u>46</u> Notice of Interlocutory Appeal Affirmed decided on 10/31/2017 (tvf)
10/31/2017	<u>51</u>	USCA JUDGMENT as to <u>46</u> Notice of Interlocutory Appeal filed by Alfonza Hardy Greenhill (tvf)
11/22/2017	<u>52</u>	MANDATE of USCA as to <u>46</u> Notice of Interlocutory Appeal filed by Alfonza Hardy Greenhill (tvf)
12/15/2017	<u>53</u>	OPINION and ORDER granting in part and denying in part <u>25</u> Motion for Summary Judgment. The motion is DENIED as to Greenhills claims under RLUIPA against the defendants in their official capacities for injunctive relief regarding beard length and Jumah participation and the motion is GRANTED as to all other claims. The defendants are granted leave to file a supplemental motion for summary judgment within 28 days of the date of entry of this Opinion and Order or the matter will be set for trial. (Opinion and Order mailed to Pro Se Party). Signed by Judge James P. Jones on 12/15/2017. (slt)
01/12/2018	<u>54</u>	Supplemental MOTION for Summary Judgment by Earl Barksdale, Harold W. Clarke, A. David Robinson. (Cahill, Laura)
01/12/2018	<u>55</u>	Brief / Memorandum in Support re <u>54</u> Supplemental MOTION for Summary Judgment . filed by Earl Barksdale, Harold W. Clarke, A. David Robinson. (Attachments: # <u>1</u> Affidavit)(Cahill, Laura)
01/16/2018	<u>56</u>	Roseboro Notice and Notice to Parties of Right to Consent to Jurisdiction of United States Magistrate Judge re <u>54</u> Supplemental MOTION for Summary Judgment Deadline set for 2/9/2018. (slt)
02/12/2018	<u>57</u>	RESPONSE in Opposition re <u>54</u> Supplemental MOTION for Summary Judgment . filed by Alfonza Hardy Greenhill. (Attachments: # <u>1</u> Plaintiff's Brief in Opposition, # <u>2</u> Enclosure A, # <u>3</u> Enclosure B, # <u>4</u> Enclosure C, # <u>5</u> Envelope)(tvf)
03/28/2018	<u>59</u>	Notice of Correction: Changed viewing restriction of Document No. 58 (Transcript) due to the document being filed in the incorrect case; only viewable by court personnel. Document correctly filed in Case No. 7:17CV00129 at ECF No. 76. (ca)
09/19/2018	<u>60</u>	OPINION and ORDER granting <u>54</u> Motion for Summary Judgment (Opinion and Order mailed to Pro Se Party). Signed by Judge James P. Jones on 9/19/2018. (slt)
09/19/2018	<u>61</u>	JUDGMENT is rendered in favor of Defendants. Signed by Judge James P. Jones on 9/19/2018. (slt)
10/22/2018	<u>62</u>	NOTICE OF APPEAL as to <u>61</u> Judgment, <u>60</u> Order on Motion for Summary Judgment by Alfonza Hardy Greenhill. (ck)
10/22/2018	<u>63</u>	Transmittal of Notice of Appeal to 4CCA re <u>62</u> Notice of Appeal NOTE: The Docketing Statement and Transcript Order Form are available on the 4th

		Circuit Court of Appeals website at www.ca4.uscourts.gov . If CJA24 form(s) are applicable, you must submit a separate Auth-24 for each court reporter from whom you wish to order a transcript through the District Court's eVoucher system. (ck)
10/22/2018		Assembled Electronic Record Transmitted to 4CCA re <u>62</u> Notice of Appeal (ck)
10/23/2018	<u>64</u>	NOTICE of Docketing Record on Appeal from USCA re <u>62</u> Notice of Appeal filed by Alfonza Hardy Greenhill. USCA Case Number 18-7300, case manager Ashley Brownlee (ck)
11/07/2018	<u>65</u>	USCA Appeal Fees received \$ 505 receipt number 700058420 paid by Amir Ali; re <u>62</u> Notice of Appeal filed by Alfonza Hardy Greenhill (ck)
06/21/2019	<u>66</u>	ORDER of USCA granting motion to withdraw from further representation as to <u>62</u> Notice of Appeal filed by Alfonza Hardy Greenhill (aab)
12/06/2019	<u>67</u>	USCA Memorandum Opinion from 4th Circuit re <u>62</u> Notice of Appeal vacated and remanded; decided on 12/6/2019 (ck)
12/06/2019	<u>68</u>	USCA JUDGMENT as to <u>62</u> Notice of Appeal filed by Alfonza Hardy Greenhill (ck) (Main Document 68 replaced on 12/13/2019 with correct pdf and nef regenerated) (ck). Modified on 12/13/2019 (ck).
12/30/2019	<u>69</u>	MANDATE of USCA as to <u>62</u> Notice of Appeal filed by Alfonza Hardy Greenhill (ck)
04/06/2020	<u>70</u>	Order to Respond; Defendants may file a supplemental motion for summary judgment, consistent with the Fourth Circuit's Opinion, within 60 days of the date of this order; plaintiff shall file any brief in opposition within 28 days thereafter; the defendants may then file a reply in support of their motion within 14 days of the filing of the plaintiff's brief in opposition. Signed by Judge James P. Jones on 4/6/20. (flc)
04/06/2020		Document 70 mailed to Pro Se Plaintiff via US Mail (flc)
04/10/2020	<u>71</u>	MOTION for <i>Scott Edson</i> to Appear Pro Hac Vice. Filing fee \$ 100, receipt number 0423-3369156. by Alfonza Hardy Greenhill. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(O'Brien, Kevin)
04/10/2020	<u>72</u>	MOTION for <i>Jarred Reiling</i> to Appear Pro Hac Vice. Filing fee \$ 100, receipt number 0423-3369164. by Alfonza Hardy Greenhill. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(O'Brien, Kevin)
04/10/2020	<u>73</u>	MOTION for <i>Kathryn Lehman</i> to Appear Pro Hac Vice. Filing fee \$ 100, receipt number 0423-3369167. by Alfonza Hardy Greenhill. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(O'Brien, Kevin)
04/10/2020	<u>74</u>	NOTICE of Appearance by Kevin Jordan O'Brien on behalf of Alfonza Hardy Greenhill (O'Brien, Kevin)
04/10/2020	<u>75</u>	MOTION Motion to Terminate Mary Grace Miller as Counsel of Record for Defendants by Earl Barksdale, Harold W. Clarke, A. David Robinson. (Attachments: # <u>1</u> Text of Proposed Order)(Cahill, Laura)
04/27/2020	<u>76</u>	Pursuant to STANDING ORDER 2019-5, the U.S. Magistrate Judge Pamela Meade Sargent is referred to this case. Magistrate Judge Robert S. Ballou no longer assigned to the case. Motions referred to Pamela Meade Sargent. (tvt)
04/28/2020	<u>77</u>	ORDER granting <u>75</u> Motion to Terminate Mary Grace Miller as Counsel of Record for the Defendants Signed by Magistrate Judge Pamela Meade Sargent on 4/28/20. (ejs)
04/28/2020	<u>78</u>	ORDER granting <u>71</u> MOTION to Appear Pro Hac Vice Attorney Scott Edson for Alfonza Hardy Greenhill added; granting <u>72</u> MOTION to Appear Pro Hac Vice Attorney Jarred Reiling for Alfonza Hardy Greenhill added; granting <u>73</u> MOTION to Appear Pro Hac Vice Attorney Kathryn Lehman for Alfonza Hardy Greenhill added Signed by Magistrate Judge Pamela Meade Sargent on 4/28/20. (ejs)
06/05/2020	<u>79</u>	MOTION for Extension of Time to File Response/Reply as to <u>70</u> Order to Respond, by Earl Barksdale, Harold W. Clarke, A. David Robinson. Motions referred to Judge Pamela Meade Sargent. (Attachments: # <u>1</u> Text of Proposed Order)(Cahill, Laura)

06/08/2020	<u>80</u>	ORDER granting <u>79</u> Motion for Extension of Time to File Response/Reply Signed by Magistrate Judge Pamela Meade Sargent on 6/8/20. (ejs)
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