

**U.S. District Court
North Carolina Middle District (NCMD)
CIVIL DOCKET FOR CASE #: 1:20-cv-00998-CCE-LPA**

DRUMWRIGHT et al v. COLE et al
Assigned to: JUDGE CATHERINE C. EAGLES
Referred to: MAG/JUDGE L. PATRICK AULD
Lead case: [1:20-cv-00997-CCE-LPA](#)
Member case: [\(View Member Case\)](#)
Related Case: [1:20-cv-00613-CCE-LPA](#)
Cause: 42:1983 Civil Rights Act

Date Filed: 11/02/2020
Jury Demand: None
Nature of Suit: 441 Civil Rights:
Voting
Jurisdiction: Federal Question

Plaintiff

GREGORY DRUMWRIGHT

represented by **ELIZABETH HADDIX**
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Plaintiff

**JUSTICE FOR THE NEXT
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Plaintiff

**ALAMANCE ALLIANCE FOR
JUSTICE**

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Plaintiff

QUENCLYN ELLISON
M.E., by and through her guardian

represented by **ELIZABETH HADDIX**
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*Quenclyn Ellison; Z.P., by and
through his guardian Quenclyn
Ellison*

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Plaintiff

FAITH COOK

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Plaintiff

MELANIE MITCHELL
*J.A., by and through her guardian
Melanie Mitchell; B.A., by and
through her guardian Melanie
Mitchell*

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Plaintiff

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Plaintiff

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Plaintiff

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V.

Defendant

MARY KRISTINE COLE
in her official and individual
capacities as Graham Chief of Police

represented by **ANTHONY JOSEPH BILLER**
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Defendant

TERRY JOHNSON
in his official and individual
capacities as Alamance County
Sheriff

represented by **PATRICK HOUGHTON**
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Defendant

CLIFF PARKER

*individually and in his capacity as
Alamance County Sheriff*

Defendant

JONATHAN FRANKS

*in his individual capacity and in his
official capacity as consultant to the
Alamance County Sheriff and
Graham Police Chief*

Defendant

**ALAMANCE COUNTY
SHERIFF'S DEPUTIES JOHN
AND JANE DOES #1 THROUGH
#20**

in their individual capacities

Defendant

JOAQUIN VELEZ
*individually and in his official
capacity as Graham Police
Lieutenant*

Defendant

CITY OF GRAHAM

Defendant

**GRAHAM POLICE OFFICERS
JOHN AND JANE DOES #21-40**
in their individual capacities

Date Filed	#	Docket Text
11/02/2020	<u>1</u>	COMPLAINT FOR TEMPORARY RESTRAINING ORDER AND EMERGENCY DECLARATORY AND INJUNCTIVE RELIEF <i>Justice for the Next Generation et al</i> against All Defendants (Filing fee \$ 400 receipt number 0418-2923707.)(Related Case # 1:20-cv-613), filed by GREGORY B. DRUMWRIGHT, Justice for the Next Generation, Edith Ann Jones.(HADDIX, ELIZABETH) Modified on 11/3/2020 to correct event description. (Hicks, Samantha) (Entered: 11/02/2020)
11/03/2020		Case ASSIGNED to JUDGE CATHERINE C. EAGLES and MAG/JUDGE L. PATRICK AULD. (Hicks, Samantha) (Entered: 11/03/2020)
11/03/2020		CASE REFERRED to Mediation pursuant to Local Rule 83.9b of the Rules of Practice and Procedure of this Court. Please go to our website under Attorney Information for a list of mediators which must be served on all parties. (Hicks, Samantha) (Entered: 11/03/2020)

11/04/2020	<u>2</u>	STANDARD ORDER for civil cases proceeding before JUDGE CATHERINE C. EAGLES. (Sanders, Marlene) (Entered: 11/04/2020)
11/09/2020	<u>3</u>	NOTICE of Attorney Appearance by attorney DANIEL K. SIEGEL on behalf of Plaintiffs GREGORY DRUMWRIGHT, EDITH ANN JONES, JUSTICE FOR THE NEXT GENERATION (SIEGEL, DANIEL) (Entered: 11/09/2020)
11/09/2020	<u>4</u>	NOTICE of Attorney Appearance by attorney KRISTI L. GRAUNKE on behalf of Plaintiffs GREGORY DRUMWRIGHT, EDITH ANN JONES, JUSTICE FOR THE NEXT GENERATION (GRAUNKE, KRISTI) (Entered: 11/09/2020)
11/09/2020	<u>5</u>	NOTICE of Attorney Appearance by attorney JACLYN A. MAFFETORE on behalf of Plaintiffs GREGORY DRUMWRIGHT, EDITH ANN JONES, JUSTICE FOR THE NEXT GENERATION (MAFFETORE, JACLYN) (Entered: 11/09/2020)
11/09/2020	<u>6</u>	NOTICE of Attorney Appearance by attorney ELIZABETH HADDIX on behalf of Plaintiffs GREGORY DRUMWRIGHT, EDITH ANN JONES, JUSTICE FOR THE NEXT GENERATION (HADDIX, ELIZABETH) (Entered: 11/09/2020)
11/09/2020	<u>7</u>	NOTICE of Attorney Appearance by attorney MARK DOROSIN on behalf of Plaintiffs GREGORY DRUMWRIGHT, EDITH ANN JONES, JUSTICE FOR THE NEXT GENERATION (DOROSIN, MARK) (Entered: 11/09/2020)
11/16/2020	<u>8</u>	NOTICE of Attorney Appearance by attorney WILLIAM L. HILL on behalf of Defendant TERRY JOHNSON (HILL, WILLIAM) (Entered: 11/16/2020)
11/18/2020	<u>9</u>	NOTICE of Attorney Appearance by attorney PATRICK HOUGHTON FLANAGAN on behalf of Defendant TERRY JOHNSON (FLANAGAN, PATRICK) (Entered: 11/18/2020)
11/20/2020	<u>10</u>	NOTICE of Attorney Appearance by attorney ANTHONY JOSEPH BILLER on behalf of Defendant MARY KRISTY COLE (BILLER, ANTHONY) (Entered: 11/20/2020)
11/30/2020	<u>11</u>	NOTICE of Attorney Appearance by attorney CLYDE BALLINGER ALBRIGHT on behalf of Defendant TERRY JOHNSON (ALBRIGHT, CLYDE) (Entered: 11/30/2020)
11/30/2020	<u>12</u>	NOTICE of Attorney Appearance by attorney PAUL GERARD GESSNER on behalf of Defendant TERRY JOHNSON (GESSNER, PAUL) (Entered: 11/30/2020)

11/30/2020	<u>13</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by MARY KRISTY COLE, TERRY JOHNSON. (Attachments: # <u>1</u> Text of Proposed Order)(FLANAGAN, PATRICK) (Entered: 11/30/2020)
11/30/2020		Motions Referred: RE: <u>13</u> Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, to MAG/JUDGE L. PATRICK AULD (Sanders, Marlene) (Entered: 11/30/2020)
12/01/2020	<u>14</u>	Consent MOTION to Consolidate Cases. Case to be consolidated with 1:20-cv-00997 by MARY KRISTY COLE, TERRY JOHNSON. Response to Motion due by 12/22/2020 (FLANAGAN, PATRICK) (Entered: 12/01/2020)
12/01/2020	<u>15</u>	BRIEF re <u>14</u> Consent MOTION to Consolidate Cases. Case to be consolidated with 1:20-cv-00997 by Defendants MARY KRISTY COLE, TERRY JOHNSON filed by MARY KRISTY COLE, TERRY JOHNSON. (FLANAGAN, PATRICK) (Entered: 12/01/2020)
12/02/2020		TEXT ORDER granting <u>13</u> Consent Motion for Extension of Time. TERRY JOHNSON and MARY KRISTY COLE shall answer or otherwise respond by 01/18/2021. Issued by MAG/JUDGE L. PATRICK AULD on 12/02/2020. (AULD, L.) (Entered: 12/02/2020)
12/02/2020	<u>16</u>	Corrected document re <u>15</u> Brief. (FLANAGAN, PATRICK) (Entered: 12/02/2020)
12/02/2020		Motions Submitted: <u>14</u> Consent MOTION to Consolidate Cases. Case to be consolidated with 1:20-cv-00997 to JUDGE CATHERINE C. EAGLES. (Sanders, Marlene) (Entered: 12/02/2020)
12/04/2020	<u>17</u>	ORDER that the motions are GRANTED and these cases are consolidated for all pre-trial proceedings, and, subject to review closer to trial, for trial. Allen v. City, 20cv997, is designated as the lead case. Henceforth all pleadings, motions, briefs, and other allowable filings shall be filed in that case only. Signed by JUDGE CATHERINE C. EAGLES on 12/04/2020. Related Case (L) 1:20CV997.(Taylor, Abby) (Entered: 12/04/2020)
12/10/2020	<u>18</u>	NOTICE of Special Appearance by attorney JENNIFER N. NWACHUKWU on behalf of Plaintiffs GREGORY DRUMWRIGHT, EDITH ANN JONES, JUSTICE FOR THE NEXT GENERATION (Filing fee \$ 25 receipt number 0418-2947284.) (NWACHUKWU, JENNIFER) (Entered: 12/10/2020)

12/11/2020	<u>19</u>	First AMENDED COMPLAINT <i>Justice 4 the Next Generation et al</i> against defendant All Defendants, filed by GREGORY DRUMWRIGHT, JUSTICE FOR THE NEXT GENERATION, EDITH ANN JONES.(HADDIX, ELIZABETH) (Entered: 12/11/2020)
12/14/2020	<u>20</u>	First AMENDED COMPLAINT <i>Justice 4 the Next Generation et al</i> against defendant All Defendants, filed by GREGORY DRUMWRIGHT, FAITH COOK, QUENCLYN ELLISON, ME.Associated Cases: 1:20-cv-00997-CCE-LPA, 1:20-cv-00998-CCE-LPA(HADDIX, ELIZABETH) (Entered: 12/14/2020)
01/20/2021	<u>21</u>	NOTICE of Attorney Appearance by attorney ELIZABETH HADDIX on behalf of Plaintiff JUSTICE FOR THE NEXT GENERATION Associated Cases: 1:20-cv-00997-CCE-LPA, 1:20-cv-00998-CCE-LPA(HADDIX, ELIZABETH) (Entered: 01/20/2021)
01/21/2021	<u>22</u>	NOTICE of Attorney Appearance by attorney KRISTI L. GRAUNKE on behalf of Plaintiffs ALAMANCE ALLIANCE FOR JUSTICE, ASHLEY REED BATTEN, FAITH COOK, GREGORY DRUMWRIGHT, QUENCLYN ELLISON, AVERY HARVEY, EDITH ANN JONES, JUSTICE FOR THE NEXT GENERATION, MELANIE MITCHELL, JANET NESBITT, EDITH WARD, ERNESTINE LEWIS WARD Associated Cases: 1:20-cv-00998-CCE-LPA, 1:20-cv-00997-CCE-LPA(GRAUNKE, KRISTI) (Entered: 01/21/2021)
01/21/2021	<u>23</u>	NOTICE of Attorney Appearance by attorney JACLYN A. MAFFETORE on behalf of Plaintiffs ALAMANCE ALLIANCE FOR JUSTICE, ASHLEY REED BATTEN, FAITH COOK, GREGORY DRUMWRIGHT, QUENCLYN ELLISON, AVERY HARVEY, EDITH ANN JONES, JUSTICE FOR THE NEXT GENERATION, MELANIE MITCHELL, JANET NESBITT, EDITH WARD, ERNESTINE LEWIS WARD Associated Cases: 1:20-cv-00997-CCE-LPA, 1:20-cv-00998-CCE-LPA(MAFFETORE, JACLYN) (Entered: 01/21/2021)
01/21/2021	<u>24</u>	NOTICE of Attorney Appearance by attorney DANIEL K. SIEGEL on behalf of Plaintiffs ALAMANCE ALLIANCE FOR JUSTICE, ASHLEY REED BATTEN, FAITH COOK, GREGORY DRUMWRIGHT, QUENCLYN ELLISON, AVERY HARVEY, EDITH ANN JONES, JUSTICE FOR THE NEXT GENERATION, MELANIE MITCHELL, JANET NESBITT, EDITH WARD, ERNESTINE LEWIS WARD Associated Cases: 1:20-cv-00997-CCE-LPA, 1:20-cv-00998-CCE-LPA(SIEGEL, DANIEL) (Entered: 01/21/2021)
03/29/2021	<u>25</u>	ORDER granting (63) Motion to Appoint Guardian ad Litem ad Litem. J.A., by and through her guardian Melanie Mitchell; B.A., by

		and through her guardian Melanie Mitchell in case 1:20-cv-00997-CCE-LPA. Signed by JUDGE CATHERINE C. EAGLES on 03/29/2021. Associated Cases: 1:20-cv-00997-CCE-LPA, 1:20-cv-00998-CCE-LPA(Taylor, Abby) (Entered: 03/29/2021)
03/29/2021	<u>26</u>	ORDER granting (64) Motion to Appoint Guardian ad Litem ad Litem, that Quenclyn Ellison is hereby appointed Guardian ad Litem to act on behalf of M.E. and Z.P. in prosecuting this action in case 1:20-cv-00997-CCE-LPA. Signed by JUDGE CATHERINE C. EAGLES on 03/29/2021. Associated Cases: 1:20-cv-00997-CCE-LPA, 1:20-cv-00998-CCE-LPA(Taylor, Abby) (Entered: 03/29/2021)
06/02/2021	<u>27</u>	MEMORANDUM OPINION AND ORDER signed by JUDGE CATHERINE C. EAGLES on 06/02/2021. The City defendants' motion for leave to exceed word limitation, Doc. 47 , is GRANTED. The City defendants' motion to dismiss, Doc. 45 , is GRANTED in part and the § 1983 claims against Chief Cole, Lt. Velez, and Officer Franks in their official capacities for violating the plaintiffs First and Fourth Amendment rights, Doc. <u>25</u> at 17582, are DISMISSED. The § 1983 claims against all other defendants will proceed, and the City defendants' motion to dismiss is otherwise DENIED as to the Drumwright complaint. The City's motion is HELD IN ABEYANCE to the extent it is directed at the Allen complaint, Doc. <u>24</u> . The County defendants' motion for judgment on the pleadings, Doc. 52 , is DENIED. Associated Cases: 1:20-cv-00997-CCE-LPA, 1:20-cv-00998-CCE-LPA(Taylor, Abby) (Entered: 06/02/2021)
06/09/2021	<u>28</u>	REVISED STANDARD ORDER for civil cases proceeding before JUDGE CATHERINE C. EAGLES.(Winchester, Robin) (Entered: 06/09/2021)
06/11/2021	<u>29</u>	NOTICE of Initial Pretrial Conference Hearing: Initial Pretrial Conference Hearing set for 7/26/2021 09:30 AM in Greensboro Courtroom #1A before MAG/JUDGE L. PATRICK AULD. (Garrett, Kim) (Entered: 06/11/2021)

PACER Service Center**Transaction Receipt**

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Description:	Docket Report	Search Criteria:	1:20-cv-00998-CCE-LPA
Billable Pages:	14	Cost:	1.40