

**U.S. District Court
Southern District of Florida (Ft Pierce)
CIVIL DOCKET FOR CASE #: 2:13-cv-14481-JEM**

Prison Legal News v. Mascara
Assigned to: Judge Jose E. Martinez
Referred to: Magistrate Judge Frank J. Lynch, Jr
Cause: 42:1983 Civil Rights Act

Date Filed: 12/17/2013
Date Terminated: 12/17/2014
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Prison Legal News
*a project of the Human Rights Defense
Center, a not-for-profit, Washington
charitable corporation*

represented by **Dante Pasquale Trevisani**
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TERMINATED: 09/23/2014
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V.

Defendant

Sheriff of St. Lucie County, Florida
*Kenneth J. Mascara, in his official
capacity*

represented by **Bruce Wallace Jolly**
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Date Filed	#	Docket Text
12/17/2013	<u>1</u>	Complaint pursuant to 42 USC 1983 against Kenneth J. Mascara. Filing fee \$ 400.00 receipt number 113C-6317668, filed by Prison Legal News. (Attachments: # <u>1</u> Exhibit A-Standard Operating Procedure 810.00, # <u>2</u> Summon(s) Serving Kenneth J. Mascara, # <u>3</u> Civil Cover Sheet)(Berg, Randall) (Entered: 12/17/2013)
12/17/2013	2	Judge Assignment to Judge Jose E. Martinez and Magistrate Judge Frank J. Lynch, Jr (vjk) (Entered: 12/17/2013)
12/17/2013	<u>3</u>	Summons Issued as to Sheriff of St. Lucie County, Florida. (vjk) (Entered: 12/17/2013)
12/17/2013	<u>4</u>	MOTION for Preliminary Injunction by Prison Legal News.

		(Attachments: # 1 Exhibit 1 - Standard Operating Procedure 810.00, # 2 Exhibit 2 - PLN v. Fulton County Order, # 3 Exhibit 3 - PLN v. Berkeley County Consent Injunction, # 4 Exhibit 4 - Hamilton v. Hall Order Approving Consent Decree, # 5 Exhibit 5 - Martinez v. Maketa Order Approving Settlement, # 6 Exhibit 6 - Declaration of Michael A. Berg)(Trevisani, Dante) (Entered: 12/17/2013)
12/19/2013	5	Order Requiring Joint Scheduling Report Signed by Judge Jose E. Martinez on 12/19/2013. (dq) (Entered: 12/19/2013)
01/03/2014	6	Certificate of Interested Parties and Corporate Disclosure Statement by Prison Legal News identifying Corporate Parent Human Rights Defense Center for Prison Legal News (Berg, Randall) Modified text on 1/3/2014 (jua). (Entered: 01/03/2014)
01/07/2014	7	SUMMONS (Affidavit) Returned Executed on 1 Complaint 42 USC 1983 or Bivens, with a 21 day response/answer filing deadline by Prison Legal News. Sheriff of St. Lucie County, Florida served on 12/30/2013, answer due 1/21/2014. (Berg, Randall) (Entered: 01/07/2014)
01/07/2014	8	NOTICE of Attorney Appearance by Lance T Weber on behalf of Prison Legal News. Attorney Lance T Weber added to party Prison Legal News(pty:pla). (Weber, Lance) (Entered: 01/07/2014)
01/07/2014	9	NOTICE of Attorney Appearance by Robert Erle Jack on behalf of Prison Legal News. Attorney Robert Erle Jack added to party Prison Legal News(pty:pla). (Jack, Robert) (Entered: 01/07/2014)
01/21/2014	10	NOTICE of Attorney Appearance by Bruce Wallace Jolly on behalf of Sheriff of St. Lucie County, Florida. Attorney Bruce Wallace Jolly added to party Sheriff of St. Lucie County, Florida(pty:dft). (Jolly, Bruce) (Entered: 01/21/2014)
01/21/2014	11	MOTION for Extension of Time to File Answer RE: Complaints re 1 Complaint 42 USC 1983 or Bivens, by Sheriff of St. Lucie County, Florida. (Jolly, Bruce) (Entered: 01/21/2014)
01/21/2014	12	NOTICE of Attorney Appearance by Adriana Mihaela Jisa on behalf of Sheriff of St. Lucie County, Florida. Attorney Adriana Mihaela Jisa added to party Sheriff of St. Lucie County, Florida(pty:dft). (Jisa, Adriana) (Entered: 01/21/2014)
01/24/2014	13	ANSWER and Affirmative Defenses to Complaint by Sheriff of St. Lucie County, Florida. (Jisa, Adriana) (Entered: 01/24/2014)
01/24/2014	14	CERTIFICATE of Interested Persons and Corporate Disclosure Statement by Sheriff of St. Lucie County, Florida (Jisa, Adriana) Modified text on 1/24/2014 (jua). (Entered: 01/24/2014)
02/07/2014	15	Plaintiff's MOTION for Hearing re 4 MOTION for Preliminary Injunction by Prison Legal News. (Berg, Randall) (Entered: 02/07/2014)

		02/07/2014)
02/10/2014	<u>16</u>	Paperless ORDER granting <u>11</u> Motion for Extension of Time. Defendant's Answer and Defenses (D.E. No. 13) are accepted as filed. Signed by Judge Jose E. Martinez on 2/10/2014. (tde) (Entered: 02/10/2014)
02/20/2014	<u>17</u>	ORDER REFERRING <u>4</u> MOTION for Preliminary Injunction filed by Prison Legal News. Motions referred to Magistrate Judge Frank J. Lynch, Jr. Signed by Judge Jose E. Martinez on 2/20/2014. (wh) (Entered: 02/20/2014)
02/21/2014	<u>18</u>	ORDER Directing Defendant to File Response to <u>4</u> Motion for Preliminary Injunction and for the Parties to File a Joint Notice; denying <u>15</u> Motion for a Prompt Hearing on Plaintiff's Motion For Preliminary Injunction. Defendant shall file his answer to the Motion For Preliminary Injunction on or before 3/4/2014. The parties shall meet and confer in a good faith attempt to resolve the issues in this matter and file their joint notice on or before 3/4/2014. Signed by Magistrate Judge Frank J. Lynch, Jr on 2/21/2014. (jua) (Entered: 02/21/2014)
02/21/2014		Set Deadlines as to <u>4</u> MOTION for Preliminary Injunction per DE <u>18</u> . Responses due by 3/4/2014 (jua) (Entered: 02/21/2014)
03/04/2014	<u>19</u>	RESPONSE in Opposition re <u>4</u> MOTION for Preliminary Injunction filed by Sheriff of St. Lucie County, Florida. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Jisa, Adriana) (Entered: 03/04/2014)
03/04/2014	<u>20</u>	JOINT NOTICE by Prison Legal News <i>Confirming Conference as to Issues Remaining in Dispute</i> (Trevisani, Dante) Modified text on 3/5/2014 (jua). (Entered: 03/04/2014)
03/07/2014	<u>21</u>	JOINT SCHEDULING REPORT - Rule 16.1 by Prison Legal News (Attachments: # <u>1</u> Text of Proposed Order Joint Proposed Scheduling Order)(Berg, Randall) Modified text on 3/10/2014 (jua). (Entered: 03/07/2014)
03/13/2014	<u>22</u>	REPLY to Response to Motion re <u>4</u> MOTION for Preliminary Injunction filed by Prison Legal News. (Trevisani, Dante) (Entered: 03/13/2014)
04/08/2014	<u>23</u>	REPORT AND RECOMMENDATIONS Recommending that the Plaintiff's <u>4</u> Motion for Preliminary Injunction be Granted in Part and Denied in Part. Objections to R&R due by 4/25/2014. Signed by Magistrate Judge Frank J. Lynch, Jr on 4/8/2014. (jua) (Entered: 04/09/2014)
04/18/2014	<u>24</u>	Joint MOTION for Extension of Time to File Objections to Report and Recommendations on Plaintiff's Motion for Preliminary Injunction re <u>23</u> REPORT AND RECOMMENDATIONS re <u>4</u> MOTION for Preliminary Injunction filed by Prison Legal News Recommending that

		the Plaintiff's 4 Motion for Preliminary Injunction be Granted in Part and Denied in Part. by Sheriff of St. Lucie County, Florida. Responses due by 5/5/2014 (Jolly, Bruce) (Entered: 04/18/2014)
04/22/2014	25	Paperless ORDER granting 24 the parties' Joint Motion for Enlargement of Time. The parties may have up to and including May 5, 2014 to file objections to the Report and Recommendation (D.E. No. 23). Signed by Judge Jose E. Martinez on 4/22/2014. (tde) (Entered: 04/22/2014)
05/02/2014	26	Joint MOTION for Extension of Time to File Objections to the Report and Recommendations (DE 23) re 23 REPORT AND RECOMMENDATIONS re 4 MOTION for Preliminary Injunction filed by Prison Legal News Recommending that the Plaintiff's 4 Motion for Preliminary Injunction be Granted in Part and Denied in Part. by Prison Legal News. Responses due by 5/19/2014 (Berg, Randall) (Entered: 05/02/2014)
05/12/2014	27	NOTICE by Sheriff of St. Lucie County, Florida re 23 REPORT AND RECOMMENDATIONS re 4 MOTION for Preliminary Injunction filed by Prison Legal News Recommending that the Plaintiff's 4 Motion for Preliminary Injunction be Granted in Part and Denied in Part. <i>Objections</i> (Jisa, Adriana) (Entered: 05/12/2014)
05/12/2014	28	Plaintiff's OBJECTION of Magistrate Judge 23 REPORT AND RECOMMENDATIONS re 4 MOTION for Preliminary Injunction filed by Prison Legal News Recommending that the Plaintiff's 4 Motion for Preliminary Injunction be Granted in Part and Denied in Part. to District Court (Trevisani, Dante) (Entered: 05/12/2014)
05/12/2014	29	OBJECTIONS to 23 Report and Recommendations by Sheriff of St. Lucie County, Florida. (See DE 27 for image) (jua) (Entered: 05/13/2014)
05/12/2014	31	OBJECTIONS to 23 Report and Recommendations by Prison Legal News. (See DE 28 for image) (jua) (Entered: 05/13/2014)
05/13/2014	30	Clerks Notice to Filer re 27 Notice (Other),. Wrong Event Selected; ERROR - The Filer selected the wrong event. The document was re-docketed by the Clerk, see [de#29]. It is not necessary to refile this document. (jua) (Entered: 05/13/2014)
05/13/2014	32	Clerks Notice to Filer re 28 Plaintiff's OBJECTION of Magistrate Judge 23 REPORT AND RECOMMENDATIONS re 4 MOTION for Preliminary Injunction filed by Prison Legal News Recommending that the Plaintiff's 4 Motion for Preliminary Injunction be Grante. Wrong Event Selected; ERROR - The Filer selected the wrong event. The document was re-docketed by the Clerk, see [de#31]. It is not necessary to refile this document. (jua) (Entered: 05/13/2014)
05/15/2014	33	RESPONSE TO OBJECTION to 23 Report and Recommendations by

		Prison Legal News. (Trevisani, Dante) (Entered: 05/15/2014)
05/30/2014	34	Notice of Supplemental Authority re 4 MOTION for Preliminary Injunction by Prison Legal News (Attachments: # 1 Exhibit PLN v. Ventura County Order Granting Preliminary Injunction)(Trevisani, Dante) (Entered: 05/30/2014)
06/02/2014	35	Paperless ORDER granting 26 Motion for Extension of Time. The parties' objections to the Magistrate's Report and Recommendations (D.E. No. 23) are accepted as filed. Signed by Judge Jose E. Martinez on 6/2/2014. (tde) (Entered: 06/02/2014)
07/08/2014	36	ORDER Setting Civil Trial Date and Pretrial Schedule: (Trial set for 1/26/2015 in Fort Pierce Division before Judge Jose E. Martinez., Calendar Call set for 1/22/2015 01:30 PM in Miami Division before Judge Jose E. Martinez., Amended Pleadings due by 9/18/2014., All Discovery due by 11/12/2014., Joinder of Parties due by 9/18/2014., Mediation Deadline 12/17/2014., In Limine Motions due by 12/29/2014., Dispositive Motions due by 11/17/2014., Joint Pretrial Stipulation due by 1/6/2015.), ORDER REFERRING CASE to Mediation. (Mediation Deadline 12/17/2014.), ORDER REFERRING CASE to Magistrate Judge Frank J. Lynch, Jr. for All Discovery Motions Signed by Judge Jose E. Martinez on 7/8/2014. (See order for further deadlines and details) (jua) (Entered: 07/09/2014)
08/08/2014	37 R	Unopposed MOTION to Withdraw as Attorney <i>for Plaintiff</i> by Robert E. Jack. by Prison Legal News. Responses due by 8/25/2014 (Attachments: # 1 Text of Proposed Order)(Jack, Robert) (Entered: 08/08/2014)
09/08/2014	38	ORDER adopting 23 Report and Recommendations ;granting in part 4 Motion for Preliminary Injunction. Signed by Judge Jose E. Martinez on 9/8/2014. (jua) (Entered: 09/08/2014)
09/23/2014	39	ORDER GRANTING WITHDRAWAL OF COUNSEL; 37 R Motion to Withdraw as Attorney. Attorney Robert Erle Jack terminated. Signed by Judge Jose E. Martinez on 09/22/2014. (yar) (Entered: 09/23/2014)
12/16/2014	40	STIPULATION of Dismissal <i>with Prejudice (Joint)</i> by Prison Legal News (Berg, Randall) (Entered: 12/16/2014)
12/17/2014	41	FINAL ORDER of Dismissal with Prejudice and Order Denying All Pending Motions as Moot. Signed by Judge Jose E. Martinez on 12/17/2014. (jua) NOTICE: If there are sealed documents in this case, they may be unsealed after 1 year or as directed by Court Order, unless they have been designated to be permanently sealed. See Local Rule 5.4 and Administrative Order 2014-69. (Entered: 12/18/2014)

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