

**U.S. District Court
District of Rhode Island (Providence)
CIVIL DOCKET FOR CASE #: 1:07-cv-00010-ML-DLM**

Estrada et al v. State of Rhode Island, et al
Assigned to: Chief Judge Mary M. Lisi
Referred to: Magistrate Judge David L. Martin
Cause: 42:1983 Civil Rights Act

Date Filed: 01/08/2007
Date Terminated: 12/30/2008
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Astrid G. Estrada

represented by **V. Edward Formisano**
Sinapi Formisano & Company, Ltd.
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Wendy M. Estrada

represented by **V. Edward Formisano**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Guilfredo E. Munoz

represented by **V. Edward Formisano**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Jose A. Aquino

represented by **V. Edward Formisano**
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LEAD ATTORNEY
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Plaintiff

Cruz F. Rivera

represented by **V. Edward Formisano**
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Plaintiff

Carlos E. Tamup

represented by **V. Edward Formisano**
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ATTORNEY TO BE NOTICED

Plaintiff

Jose Burgos

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ATTORNEY TO BE NOTICED

Plaintiff

Abelino M. Urizar

represented by **V. Edward Formisano**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Israel Tebalan

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Plaintiff

Rolando Noriega

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Plaintiff

Boris Cruz

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Plaintiff

Elsa Hernandez Vilavicencio

represented by **V. Edward Formisano**
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V.

Defendant

State of Rhode Island
State Police Department

represented by **Brenda D. Baum**
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RI Attorney General's Office
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ATTORNEY TO BE NOTICED

Defendant

Steven M. Pare
*individually and in his official capacity as
 Superintendent of the Rhode Island State
 Police*

represented by **Brenda D. Baum**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James R. Lee
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John M. Moreira
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant

Thomas Chabot
*individually and in his official capacity as
 a state trooper employed by the State of
 Rhode Island*

represented by **Brenda D. Baum**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James R. Lee
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

John M. Moreira
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/08/2007	<u>1</u>	COMPLAINT against State of Rhode Island, State Police Department, Steven M. Pare, Thomas Chabot (Filing fee \$ 350 receipt number 65082.) filed by Cruz F. Rivera, Carlos E. Tamup, Jose Burgos, Abelino M. Urizar, Israel Tebalan, Rolando Noriega, Boris Cruz, Elsa Hernandez Vilavicencio, Astrid G. Estrada, Wendy M. Estrada, Guilfredo E. Munoz, Jose A. Aquino. (Attachments: # <u>1</u> Civil Cover Sheet)(Barletta, Barbara) (Entered: 01/08/2007)
03/09/2007		Summons Issued (3) (Jackson, Ryan) (Entered: 03/09/2007)
04/02/2007	<u>2</u>	NOTICE of Appearance by Brenda D. Baum on behalf of State of Rhode Island, Steven M. Pare, Thomas Chabot (Baum, Brenda) (Entered: 04/02/2007)
04/02/2007	<u>3</u>	ANSWER to Complaint with Jury Demand by State of Rhode Island, Steven M. Pare, Thomas Chabot.(Baum, Brenda) (Entered: 04/02/2007)
04/02/2007	<u>4</u>	NOTICE of Appearance by James R. Lee on behalf of State of Rhode Island, Steven M. Pare, Thomas Chabot (Lee, James) (Entered: 04/02/2007)
04/03/2007	<u>5</u>	MOTION to Compel More Responsive Answers to First Request For Production of Documents Propounded to Defendant State of Rhode Island by all plaintiffs. Responses due by 4/20/2007 (Formisano, V.) (Entered: 04/03/2007)
04/06/2007	<u>6</u>	AMENDED ANSWER to Complaint with Jury Demand by State of Rhode Island, Steven M. Pare, Thomas Chabot.(Baum, Brenda) (Entered: 04/06/2007)
04/09/2007	<u>7</u>	NOTICE of Hearing: Rule 16 Conference set for Wednesday, 5/16/2007 09:30 AM in Chambers 310 before Chief Judge Mary M Lisi. (Barletta, Barbara) (Entered: 04/09/2007)
04/20/2007	<u>8</u>	RESPONSE in Opposition re <u>5</u> MOTION to Compel More Responsive Answers to First Request For Production of Documents Propounded to Defendant State of Rhode Island With Supporting Memo filed by State of Rhode Island. (Attachments: # <u>1</u> Exhibit: Summons and Proof of Payment; # <u>2</u> Exhibit: Affidavit of Acting

		Superintendent Steven G. O'Donnell)(Baum, Brenda) (Entered: 04/20/2007)
04/23/2007		<u>5</u> MOTION to Compel More Responsive Answers to First Request For Production of Documents Propounded to Defendant State of Rhode Island REFERRED to Magistrate Judge Martin for determination (Barletta, Barbara) (Entered: 04/23/2007)
04/24/2007		NOTICE OF HEARING ON MOTION <u>5</u> MOTION to Compel More Responsive Answers to First Request For Production of Documents Propounded to Defendant State of Rhode Island: MOTION HEARING SET FOR 5/3/2007 10:00 AM in Courtroom B before Magistrate Judge David L. Martin. (Saucier, Martha) (Entered: 04/24/2007)
05/03/2007		Minute Entry for proceedings held before Magistrate Judge David L. Martin : Motion Hearing held on 5/3/2007 re <u>5</u> MOTION to Compel More Responsive Answers to First Request For Production of Documents Propounded to Defendant State of Rhode Island filed by Jose Burgos, Astrid G. Estrada, Wendy M. Estrada, Guilfredo E. Munoz, Jose A. Aquino, Cruz F. Rivera, Carlos E. Tamup, Abelino M. Urizar, Israel Tebalan, Rolando Noriega, Boris Cruz, Elsa Hernandez Vilavicencio. Edward Formisano for the plaintiffs; Brenda Baum for the defendants. Attorneys argue; Court takes matter under advisement; Court to issue an order. (Courtroom Courtroom B at 10:27.) (Saucier, Martha) (Entered: 05/03/2007)
05/09/2007	<u>9</u>	RULE 16 STATEMENT by Astrid G. Estrada. (Formisano, V.) (Entered: 05/09/2007)
05/10/2007	<u>10</u>	ORDER denying <u>5</u> Motion to Compel Production . So Ordered by Magistrate Judge David L. Martin on 5/10/07. (Saucier, Martha) (Entered: 05/10/2007)
05/16/2007		Minute Entry for proceedings held before Judge Mary M Lisi : Rule 16 Conference held on 5/16/2007; all counsel of record present (Barletta, Barbara) (Entered: 05/16/2007)
05/17/2007	<u>11</u>	SCHEDULING ORDER: Discovery due by 11/16/2007; Motions due by 11/30/2007; Pretrial Memorandum due by 12/17/2007 -- So Ordered by Chief Judge Mary M Lisi on 5/17/07. (Barletta, Barbara) (Entered: 05/17/2007)
11/08/2007	<u>12</u>	Joint MOTION for an Extension of Time for Pretrial Order Deadlines by all plaintiffs.Responses due by 11/26/2007 (Formisano, V.) (Entered: 11/08/2007)
11/09/2007		TEXT ORDER granting <u>12</u> Motion for Extension of Time ; Reset Scheduling Order Deadlines:Discovery due by 2/16/2008; Motions due by 3/1/2008; Pretrial Memorandum due by 3/17/2008 -- So Ordered by Chief Judge Mary M Lisi on 11/9/07. (Barletta, Barbara) (Entered: 11/09/2007)
01/11/2008	<u>13</u>	NOTICE to Take Deposition by Astrid G. Estrada of Trooper Donohue (Formisano, V.) (Entered: 01/11/2008)
01/14/2008	<u>14</u>	NOTICE to Take Deposition by State of Rhode Island, Steven M. Pare, Thomas Chabot of Astrid G. Estrada (Baum, Brenda) (Entered: 01/14/2008)
01/14/2008	<u>15</u>	NOTICE to Take Deposition by State of Rhode Island, Steven M. Pare, Thomas Chabot of Wendy M. Estrada (Baum, Brenda) (Entered: 01/14/2008)
01/14/2008	<u>16</u>	NOTICE to Take Deposition by State of Rhode Island, Steven M. Pare, Thomas Chabot of Carlos E. Tamup (Baum, Brenda) (Entered: 01/14/2008)
01/14/2008	<u>17</u>	NOTICE to Take Deposition by State of Rhode Island, Steven M. Pare, Thomas Chabot of Guilfredo E. Munoz (Baum, Brenda) (Entered: 01/14/2008)
01/14/2008	<u>18</u>	NOTICE to Take Deposition by State of Rhode Island, Steven M. Pare, Thomas Chabot of Jose A. Aquino (Baum, Brenda) (Entered: 01/14/2008)
01/14/2008	<u>19</u>	NOTICE to Take Deposition by State of Rhode Island, Steven M. Pare, Thomas Chabot of Cruz F. Rivera (Baum, Brenda) (Entered: 01/14/2008)
01/14/2008	<u>20</u>	NOTICE to Take Deposition by State of Rhode Island, Steven M. Pare, Thomas Chabot of Jose Burgos (Baum, Brenda) (Entered: 01/14/2008)

01/14/2008	<u>21</u>	NOTICE to Take Deposition by State of Rhode Island, Steven M. Pare, Thomas Chabot of Abelino M. Urizar (Baum, Brenda) (Entered: 01/14/2008)
01/14/2008	<u>22</u>	NOTICE to Take Deposition by State of Rhode Island, Steven M. Pare, Thomas Chabot of Israel Tebalan (Baum, Brenda) (Entered: 01/14/2008)
01/14/2008	<u>23</u>	NOTICE to Take Deposition by State of Rhode Island, Steven M. Pare, Thomas Chabot of Rolando Noriega (Baum, Brenda) (Entered: 01/14/2008)
01/14/2008	<u>24</u>	NOTICE to Take Deposition by State of Rhode Island, Steven M. Pare, Thomas Chabot of Boris R. Cruz (Baum, Brenda) (Entered: 01/14/2008)
01/14/2008	<u>25</u>	NOTICE to Take Deposition by State of Rhode Island, Steven M. Pare, Thomas Chabot of Elsa Hernandez Vila Vicencio (Baum, Brenda) (Entered: 01/14/2008)
01/30/2008	<u>26</u>	Joint MOTION to Extend Discovery Deadlines by all parties.Responses due by 2/19/2008 (Baum, Brenda) (Entered: 01/30/2008)
01/31/2008		TEXT ORDER granting <u>26</u> Motion extend deadlines; Set/Reset Scheduling Order Deadlines:Discovery due by 4/16/2008; Motions due by 5/1/2008; Pretrial Memorandum due by 5/16/2008 – So Ordered by Chief Judge Mary M Lisi on 1/31/08. (Barletta, Barbara) (Entered: 01/31/2008)
03/14/2008	<u>27</u>	NOTICE to Take Deposition by Astrid G. Estrada of Trooper Donahue (Formisano, V.) (Entered: 03/14/2008)
03/19/2008	<u>28</u>	NOTICE to Take Foreign Deposition from Wendy M. Estrada., filed by State of Rhode Island, Steven M. Pare, Thomas Chabot.(Baum, Brenda) (Entered: 03/19/2008)
03/19/2008	<u>29</u>	NOTICE to Take Foreign Deposition from Abelino M. Urizar., filed by State of Rhode Island, Steven M. Pare, Thomas Chabot.(Baum, Brenda) (Entered: 03/19/2008)
03/19/2008	<u>30</u>	NOTICE to Take Foreign Deposition from Astrid G. Estrada., filed by State of Rhode Island, Steven M. Pare, Thomas Chabot.(Baum, Brenda) (Entered: 03/19/2008)
04/15/2008	<u>31</u>	NOTICE by Astrid G. Estrada <i>To Take Deposition of Trooper Donohue</i> (Formisano, V.) (Entered: 04/15/2008)
04/21/2008	<u>32</u>	Assented MOTION for an Extension of Time <i>For Defendants to file Summary Judgment Motion</i> by State of Rhode Island, Steven M. Pare, Thomas Chabot. Responses due by 5/8/2008 (Baum, Brenda) (Entered: 04/21/2008)
04/22/2008		TEXT ORDER granting <u>32</u> Motion for Extension of Time ; Reset Deadlines: (Motion for Summary Judgment due by 5/15/2008.)– So Ordered by Chief Judge Mary M Lisi on 4/22/08. (Barletta, Barbara) (Entered: 04/22/2008)
05/05/2008	<u>33</u>	NOTICE of Appearance by John M. Moreira on behalf of all defendants (Moreira, John) (Entered: 05/05/2008)
05/07/2008	<u>34</u>	Second MOTION for an Extension of Time To File Motion for Summary Judgment by all defendants. Responses due by 5/27/2008 (Baum, Brenda) (Entered: 05/07/2008)
05/08/2008		TEXT ORDER granting <u>34</u> Motion for Extension of Time ; Reset Deadlines: (Motions for Summary Judgment due by 5/22/2008.)– So Ordered by Chief Judge Mary M Lisi on 5/8/08. (Barletta, Barbara) (Entered: 05/08/2008)
05/22/2008	<u>35</u>	MOTION for Summary Judgment With Supporting Memo by all defendants. Responses due by 6/9/2008 (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P–1, # <u>17</u> Exhibit P–2, # <u>18</u> Exhibit Q, # <u>19</u> Exhibit R, # <u>20</u> Exhibit S, # <u>21</u> Errata T, # <u>22</u> Exhibit U, # <u>23</u> Exhibit V, # <u>24</u> Exhibit W)(Moreira, John) (Entered: 05/22/2008)
05/22/2008	<u>36</u>	STATEMENT OF UNDISPUTED FACTS by all defendants re <u>35</u> MOTION for Summary Judgment. (Moreira, John) (Entered: 05/22/2008)

05/22/2008	<u>37</u>	MOTION for Partial Summary Judgment by Astrid G. Estrada. Responses due by 6/9/2008 (Formisano, V.) (Entered: 05/22/2008)
05/22/2008	<u>38</u>	MEMORANDUM IN SUPPORT by Astrid G. Estrada in support of <u>37</u> MOTION for Partial Summary Judgment. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit)(Formisano, V.) (Entered: 05/22/2008)
05/22/2008	<u>39</u>	STATEMENT OF UNDISPUTED FACTS <i>IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT</i> by Astrid G. Estrada. (Formisano, V.) (Entered: 05/22/2008)
06/04/2008	<u>40</u>	MOTION for an Extension of Time to File Response/Reply <i>TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT</i> by Astrid G. Estrada. Responses due by 6/23/2008 (Formisano, V.) (Entered: 06/04/2008)
06/05/2008		TEXT ORDER granting <u>40</u> Motion for Extension of Time to File Response/Reply re <u>35</u> MOTION for Summary Judgment ; Reset Deadlines: Responses due by 6/30/2008– So Ordered by Chief Judge Mary M Lisi on 6/5/08. (Barletta, Barbara) (Entered: 06/05/2008)
06/06/2008	<u>41</u>	Assented MOTION for an Extension of Time to File Objection and Memorandum to Plaintiffs' Motion for Summary Judgment by all defendants. Responses due by 6/23/2008 (Baum, Brenda) (Entered: 06/06/2008)
06/09/2008		TEXT ORDER granting <u>41</u> Motion for Extension of Time to respond to <u>37</u> MOTION for Summary Judgment ; Reset Deadlines: (Responses due by 6/30/2008)– So Ordered by Chief Judge Mary M Lisi on 6/9/08. (Barletta, Barbara) (Entered: 06/09/2008)
06/27/2008	<u>42</u>	RESPONSE in OPPOSITION re <u>37</u> MOTION for Summary Judgment filed by all defendants. (Attachments: # <u>1</u> Supplemental Exhibit M)(Moreira, John) (Entered: 06/27/2008)
06/27/2008	<u>43</u>	STATEMENT OF DISPUTED FACTS re <u>42</u> Response in Opposition to <u>37</u> MOTION for Summary Judgment filed by all defendants. (Moreira, John) Modified on 6/27/2008 to correct document description, and to add link to Deft's Response in Opposition. (Duhamel, John). (Entered: 06/27/2008)
06/30/2008	<u>44</u>	RESPONSE in Opposition re <u>35</u> MOTION for Summary Judgment With Supporting Memo filed by all plaintiffs. (Formisano, V.) (Entered: 06/30/2008)
06/30/2008	<u>45</u>	MOTION to Strike <i>Affidavit of Cort Burke</i> With Supporting Memo by all plaintiffs. Responses due by 7/17/2008 (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Formisano, V.) (Entered: 06/30/2008)
07/09/2008	<u>46</u>	Joint MOTION for an Extension of Time to File Response/Reply as to <u>44</u> Response in Opposition to Motion, <u>42</u> Response to Motion <i>for Summary Judgment</i> ; by all parties. Responses due by 7/28/2008 (Moreira, John) (Entered: 07/09/2008)
07/10/2008		TEXT ORDER granting <u>46</u> Motion for Extension of Time to File Response/Reply (Replies due by 7/31/2008.); – So Ordered by Chief Judge Mary M Lisi on 7/10/08. (Barletta, Barbara) (Entered: 07/10/2008)
07/17/2008	<u>47</u>	RESPONSE in Opposition re <u>45</u> MOTION to Strike <i>Affidavit of Cort Burke</i> filed by all defendants. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Baum, Brenda) SEE Document 48 for corrected Response in Opposition. (Duhamel, John). (Entered: 07/17/2008)
07/17/2008	<u>48</u>	CORRECTED RESPONSE in Opposition re <u>45</u> MOTION to Strike <i>Affidavit of Cort Burke</i> filed by all defendants. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Baum, Brenda) (Entered: 07/17/2008)
07/31/2008	<u>49</u>	Assented MOTION for an Extension of Time to File Response/Reply as to <u>35</u> MOTION for Summary Judgment by all defendants. Responses due by 8/18/2008 (Baum, Brenda) (Entered: 07/31/2008)
08/01/2008		TEXT ORDER granting <u>49</u> Motion for Extension of Time to File Reply re <u>37</u> MOTION for Summary Judgment ; Reset Deadlines: Reply due by 8/4/2008– So Ordered by Judge Mary M Lisi on 8/1/08. (Barletta, Barbara) (Entered: 08/01/2008)

		08/01/2008)
08/04/2008	<u>50</u>	REPLY to Response to Motion re <u>44</u> Response in Opposition to Motion <i>for Summary Judgment</i> filed by all defendants. (Attachments: # <u>1</u> Exhibit M)(Baum, Brenda) (Entered: 08/04/2008)
08/05/2008		Motion Forwarded to Chambers <u>35</u> MOTION for Summary Judgment, <u>45</u> MOTION to Strike <i>Affidavit of Cort Burke</i> , <u>37</u> MOTION for Summary Judgment FORWARDED to Chambers of Chief Judge Mary M. Lisi. (Barletta, Barbara) (Entered: 08/05/2008)
08/18/2008	<u>51</u>	MEMORANDUM AND ORDER denying <u>45</u> Motion to Strike the Affidavit of Cort Burke– So Ordered by Chief Judge Mary M Lisi on 8/18/08. (Barletta, Barbara) (Entered: 08/18/2008)
12/30/2008	<u>52</u>	MEMORANDUM AND ORDER granting Defendants' <u>35</u> Motion for Summary Judgment; denying Plaintiffs' <u>37</u> Motion for Partial Summary Judgment. So Ordered by Chief Judge Mary M. Lisi on 12/30/2008. (Duhamel, John) (Entered: 12/31/2008)
12/31/2008	<u>53</u>	JUDGMENT in favor of State of Rhode Island, Steven M. Pare, Thomas Chabot against Abelino M. Urizar, Astrid G. Estrada, Boris Cruz, Carlos E. Tamup, Cruz F. Rivera, Elsa Hernandez Vilavicencio, Guilfredo E. Munoz, Israel Tebalan, Jose Burgos, Jose A. Aquino, Rolando Noriega, Wendy M. Estrada. Entered by Deputy Clerk on 12/31/2008. (Duhamel, John) (Entered: 12/31/2008)
01/23/2009	<u>54</u>	NOTICE OF APPEAL by Astrid G. Estrada et al. Appeal Record due by 2/23/2009. (Formisano, V.) (Entered: 01/23/2009)
01/26/2009	<u>57</u>	USCA Appeal Fees received \$ 455 receipt number 14670000319 re <u>54</u> Notice of Appeal filed by Astrid G. Estrada (Farrell Pletcher, Paula) (Entered: 03/25/2009)
01/27/2009	<u>55</u>	CLERK'S CERTIFICATE Re: <u>54</u> Notice of Appeal filed by Astrid G. Estrada, et al. (Duhamel, John) (Entered: 01/27/2009)
01/27/2009	<u>56</u>	Certified and Transmitted Record on Appeal to US Court of Appeals re <u>54</u> Notice of Appeal. Forwarded case file; certified docket. (Duhamel, John) (Entered: 01/27/2009)
03/25/2009	<u>58</u>	Supplemental Record on Appeal transmitted to US Court of Appeals re <u>54</u> Notice of Appeal (Farrell Pletcher, Paula) (Entered: 03/25/2009)
02/05/2010	<u>59</u>	SLIP OPINION of USCA as to <u>54</u> Notice of Appeal filed by Astrid G. Estrada. (Duhamel, John) (Entered: 02/05/2010)
02/05/2010	<u>60</u>	USCA JUDGMENT (entered 2/4/2010) as to <u>54</u> Notice of Appeal filed by Astrid G. Estrada. -- The judgment of the district court is affirmed. (Duhamel, John) (Entered: 02/05/2010)
03/01/2010	<u>61</u>	MANDATE of USCA (USCA Judgment entered 2/4/2010) as to <u>54</u> Notice of Appeal filed by Astrid G. Estrada. -- Judgment of the district court is affirmed. (Duhamel, John) (Entered: 03/01/2010)