

CLOSED, JH

**U.S. District Court
District of Rhode Island (Providence)
CIVIL DOCKET FOR CASE #: 1:04-cv-00112-S**

Spratt v. RIDOC, et al
Assigned to: Judge William E Smith
Demand: \$0
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 03/31/2004
Date Terminated: 08/01/2007
Jury Demand: None
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

Wesley Spratt

represented by **Lynette J. Labinger**
Roney & Labinger
344 Wickenden Street
Providence, RI 02903
421-9794
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**Rhode Island Department of
Corrections**
TERMINATED: 02/11/2005

Defendant

A. T. Wall
Director, RIDOC

represented by **Patricia Anne Coyne-Fague**
Department of Corrections
40 Howard Avenue
Cranston, RI 02920
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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/31/2004	1	COMPLAINT filed; (McCabe, F) (Entered: 04/01/2004)
03/31/2004	2	MOTION by Wesley Spratt to Proceed in Forma Pauperis (McCabe, F) Modified on 04/01/2004 (Entered: 04/01/2004)
03/31/2004	3	MOTION by Wesley Spratt for Appointment of Counsel (McCabe, F) (Entered: 04/01/2004)
03/31/2004		CASE assigned to Judge William E. Smith . Assigned to Magistrate Judge Hagopian (McCabe, F) (Entered: 04/01/2004)
04/01/2004		Motion(s) referred: [3-1] motion for Appointment of Counsel referred to Magistrate Judge Jacob Hagopian, [2-1] motion to Proceed in Forma Pauperis referred to Magistrate Judge Jacob Hagopian (Mercurio, A) (Entered: 04/01/2004)
04/05/2004	5	MEMORANDUM and ORDER denying [3-1] motion for Appointment of Counsel (signed by Magistrate Judge Jacob Hagopian) (mailed to ptf.) (Mercurio, A) Modified on 04/05/2004 (Entered: 04/05/2004)
04/05/2004	4	MEMORANDUM and ORDER granting [2-1] motion to Proceed in Forma Pauperis (signed by Magistrate Judge Jacob Hagopian)(mailed to ptf.) (Mercurio, A) (Entered: 04/05/2004)
04/05/2004		(2) SUMMONS(ES) issued (Mercurio, A) (Entered: 04/05/2004)
04/23/2004		Installment Payment; PAYMENT # 1: AMOUNT \$ 20.00; RECEIPT # 57035 Total Paid to Date: \$ 20.00 (Baldinelli, D) Modified on 03/16/2005 (Entered: 07/22/2004)
05/10/2004		Installment Payment; PAYMENT # 2: AMOUNT \$ 42.40; RECEIPT # 57158 Total Paid to Date: \$ 62.40 (Baldinelli, D) Modified on 03/16/2005 (Entered: 07/22/2004)
05/28/2004	6	ANSWER to Complaint by A. T. Wall (Attorney Patricia Anne Coyne-Fague), (Baldinelli, D) (Entered: 05/28/2004)
06/14/2004	7	Plaintiff's ANSWER to Defendant's answer (Baldinelli, D) Modified on 06/15/2004 (Entered: 06/15/2004)
06/14/2004	7	MOTION by Wesley Spratt for Summary Judgment and answer to Defendant's answer. (Baldinelli, D) (Entered: 06/15/2004)

06/23/2004		Installment Payment; PAYMENT # 3: AMOUNT \$ 22.00; RECEIPT # 57466 Total Paid to Date: \$ 84.40 (Baldinelli, D) Modified on 03/16/2005 (Entered: 07/22/2004)
06/25/2004	8	MOTION and memorandum by RIDOC, A. T. Wall for an extension of time to July 23, 2004 in which to answer plaintiff's motion for summary judgment. (Baldinelli, D) (Entered: 06/25/2004)
07/12/2004		Motion(s) referred: [8-1] motion for an extension of time to July 23, 2004 in which to answer plaintiff's motion for summary judgment. referred to Magistrate Judge Jacob Hagopian (Mercurio, A) (Entered: 07/12/2004)
07/20/2004	9	ORDER granting [8-1] motion for an extension of time to July 23, 2004 in which to answer plaintiff's motion for summary judgment. (signed by Magistrate Judge Jacob Hagopian) (mailed to ptf. and faxed to def.) (Mercurio, A) (Entered: 07/20/2004)
07/20/2004		Deadline updated; Objection to Motion reset to 7/23/04 for [7-1] motion for Summary Judgment (Mercurio, A) (Entered: 07/20/2004)
07/22/2004		Installment Payment; PAYMENT # 4: AMOUNT \$ 22.40; RECEIPT # 57757 Total Paid to Date: \$ 106.80 (Baldinelli, D) Modified on 03/16/2005 (Entered: 07/22/2004)
07/23/2004	10	MOTION and memorandum by A. T. Wall to Enlarge Time up to August 10, 2004 in which to answer plaintiff's Motion for Summary Judgment (Baldinelli, D) (Entered: 07/23/2004)
07/28/2004	11	OBJECTION by Wesley Spratt to [10-1] motion to Enlarge Time up to August 10, 2004 in which to answer plaintiff's Motion for Summary Judgment (Baldinelli, D) (Entered: 07/28/2004)
07/28/2004		Motion(s) referred: [10-1] motion to Enlarge Time up to August 10, 2004 in which to answer plaintiff's Motion for Summary Judgment referred to Judge William E. Smith (Baldinelli, D) (Entered: 07/28/2004)
07/28/2004	12	MOTION by Wesley Spratt for Preliminary Injunction (Baldinelli, D) (Entered: 07/28/2004)
07/30/2004	13	ORDER granting [10-1] motion to Enlarge Time up to August 10, 2004 in which to answer plaintiff's Motion for Summary Judgment (signed by Judge William E. Smith)faxed to all counsel of record. (Baldinelli, D) (Entered: 07/30/2004)

07/30/2004		Deadline updated; Objection to Motion reset to 8/10/04 for [7-1] motion for Summary Judgment (Baldinelli, D) (Entered: 07/30/2004)
08/02/2004	14	OBJECTION by A. T. Wall to [12-1] motion for Preliminary Injunction (Baldinelli, D) (Entered: 08/02/2004)
08/02/2004	15	OBJECTION and memorandum by A. T. Wall to [7-1] motion for Summary Judgment (Baldinelli, D) (Entered: 08/02/2004)
08/02/2004	15	CROSS MOTION and memorandum by A. T. Wall for Summary Judgment (Baldinelli, D) (Entered: 08/02/2004)
08/02/2004	16	Statement Of Undisputed Fact by A. T. Wall RE: [15-1] motion for Summary Judgment (Baldinelli, D) (Entered: 08/02/2004)
08/03/2004		Motion(s) referred: [12-1] motion for Preliminary Injunction referred to Judge William E. Smith, [7-1] motion for Summary Judgment referred to Judge William E. Smith (Mercurio, A) (Entered: 08/03/2004)
08/04/2004		Motion(s) no longer referred to Judge Smith: [15-1] motion for Summary Judgment, [12-1] motion for Preliminary Injunction, [7-1] motion for Summary Judgment (Mercurio, A) (Entered: 08/04/2004)
08/04/2004		Motion(s) referred: [15-1] motion for Summary Judgment referred to Magistrate Judge Jacob Hagopian, [12-1] motion for Preliminary Injunction referred to Magistrate Judge Jacob Hagopian, [7-1] motion for Summary Judgment referred to Magistrate Judge Jacob Hagopian (Mercurio, A) (Entered: 08/04/2004)
08/09/2004	17	Statement Of Undisputed Fact by A. T. Wall RE: [15-1] motion response (Baldinelli, D) (Entered: 08/09/2004)
08/13/2004		MOTION by Wesley Spratt to Amend [1-1] complaint (Baldinelli, D) (Entered: 08/13/2004)
08/13/2004	18	MOTION by Wesley Spratt to Enlarge Time to amend complaint (Baldinelli, D) (Entered: 08/13/2004)
08/19/2004		Installment Payment; PAYMENT # 5; AMOUNT \$ 22.00; RECEIPT # 57948 Total Paid to Date: \$ 128.80 (Baldinelli, D) Modified on 03/16/2005 (Entered: 08/20/2004)
08/30/2004		Motion(s) referred: [18-1] motion to Enlarge Time to amend complaint referred to Magistrate Judge Jacob Hagopian (Mercurio, A) (Entered: 08/30/2004)

09/03/2004	19	MOTION by Wesley Spratt for extension of time to 30 days to send his amended answer and motion for summary judgment. (Baldinelli, D) (Entered: 09/03/2004)
09/03/2004		Motion(s) referred: [19-1] motion for extension of time to 30 days to send his amended answer and motion for summary judgment. referred to Magistrate Judge Jacob Hagopian (Mercurio, A) (Entered: 09/03/2004)
09/07/2004	20	ORDER granting [18-1] motion to Enlarge Time to amend complaint. The Court shall construe plaintiff's complaint to include a claim under 42 USC Section 2000 cc. The defendants have not objected. Plaintiff shall file an amended complaint within ten (10) days (signed by Magistrate Judge Jacob Hagopian) (mailed to ptf. and faxed to def.) (Mercurio, A) (Entered: 09/07/2004)
09/17/2004	21	ORDER granting [19-1] motion for extension of time to 30 days to send his amended answer and motion for summary judgment. (signed by Magistrate Judge Jacob Hagopian)faxed to all counsel of record. (Baldinelli, D) (Entered: 09/17/2004)
09/20/2004	22	MOTION by Wesley Spratt to Enlarge Time to send his amended answer and motion for summary judgment the ACI copy machine is broken. (Baldinelli, D) (Entered: 09/20/2004)
09/29/2004	23	MOTION by Wesley Spratt for Summary Judgment and Immediate injunctive Relief (Baldinelli, D) (Entered: 09/29/2004)
10/04/2004		Installment Payment; PAYMENT # 6: AMOUNT \$ 21.20; RECEIPT # 58291 Total Paid to Date: \$ 150.00 (Baldinelli, D) Modified on 03/16/2005 (Entered: 10/05/2004)
10/19/2004		Motion(s) referred: [23-1] motion for Summary Judgment and Immediate injunctive Relief referred to Magistrate Judge Jacob Hagopian (Mercurio, A) (Entered: 10/19/2004)
10/21/2004	24	OBJECTION and memorandum by RIDOC, A. T. Wall to [23-1] motion for Summary Judgment and Immediate injunctive Relief (Baldinelli, D) (Entered: 10/21/2004)
10/29/2004	25	Answer by Wesley Spratt in opposition to [24-1] motion response (Baldinelli, D) (Entered: 10/29/2004)
01/13/2005	26	REPORT AND RECOMMENDATIONS of Magistrate Judge Jacob Hagopian Re: [23-1] motion for Summary Judgment and Immediate injunctive Relief, [15-1] motion for Summary Judgment, [7-1] motion for Summary Judgment -

		recommending plaintiff's motion for summary judgment be denied, and defendant Wall's motion for summary judgment be granted on plaintiff's First and Fourteenth Amendment claims. It is further recommended that plaintiff's claims made under 42 USC Section 2000cc be stayed pending the resolution of Cutter v. Wilkinson, 349 F.3d 257 (6th Cir. 2004), cert. granted 125 S.Ct 308 (Oct. 12, 2004) (No. 03-9877). ; Motion no longer referred Objections to R and R due by 1/31/05 (mailed to ptf. and faxed to def.) (Mercurio, A) (Entered: 01/13/2005)
01/18/2005	27	REPORT AND RECOMMENDATIONS of Magistrate Judge Jacob Hagopian Re: [12-1] motion for Preliminary Injunction, [23-1] motion for Summary Judgment and Immediate injunctive Relief recommending plaintiff's motions for a preliminary injunction and for "immediate injunctive relief" be denied ; Motion no longer referred Objections to R and R due by 2/4/05 (mailed to ptf. and faxed to def.) (Mercurio, A) (Entered: 01/18/2005)
01/18/2005	28	ORDER TO SHOW CAUSE in writing by February 10, 2005 why case against defendant, Rhode Island Department of Corrections should not be dismissed for lack of prosecution (signed by Judge William E. Smith) (mailed to ptf. and faxed to def.) (Mercurio, A) (Entered: 01/18/2005)
02/01/2005	29	MOTION by Wesley Spratt for extention of Time to answer the Magistrate's Report and Recommendation (Baldinelli, D) (Entered: 02/01/2005)
02/11/2005	30	ORDER, to Dismiss defendant, Rhode Island Department of Corrections, for lack of prosecution (signed by Judge William E. Smith) (mailed to ptf. and faxed to def.) (Mercurio, A) (Entered: 02/11/2005)
02/11/2005	31	ORDER: The Court hereby accepts the R and R of Magistrate Judge Jacob Hagopian dated January 18, 2005 pursuant to 28 USC 686(b)(1) denying [12-1] motion for Preliminary Injunction and for "immediate injunctive relief". signed by Judge William E. Smith . (mailed to ptf. and faxed to def.)(Mercurio, A) Modified on 04/01/2005 (Entered: 02/11/2005)
02/11/2005	32	ORDER: The Court hereby accepts the R and R of Magistrate Judge Jacob Hagopian dated January 13, 2005 pursuant to 28 USC 686(b)(1) denying [23-1] motion for Summary Judgment and Immediate injunctive Relief, granting [15-1] motion for Summary Judgment on First and Fourteenth Amendment claims. Plaintiff's claim under 42 USC Section 2000cc is stayed

		pending the resolution of Cutter v. Wilkinson, 349 F.3d 257 , signed by Judge William E. Smith . (mailed to ptf. and faxed to deft.) (Mercurio, A) (Entered: 02/11/2005)
02/18/2005		OBJECTION by Wesley Spratt to [26-1] report and recommendations (Baldinelli, D) (Entered: 02/22/2005)
02/24/2005	33	RETURNED DOCUMENT Obection to R&R as improperly filed by Wesley Spratt (signed by Magistrate Judge Lincoln D. Almond) (Mercurio, A) (Entered: 03/03/2005)
03/04/2005	34	MOTION and memorandum by Wesley Spratt for Reconsideration of [30-1] order to Dismiss defendant, Rhode Island Department of Corrections, for lack of prosecution (Baldinelli, D) (Entered: 03/07/2005)
03/04/2005	35	OBJECTION by Wesley Spratt to [32-1] report and recommendations (Baldinelli, D) (Entered: 03/07/2005)
04/01/2005	36	ORDER granting [34-1] motion for Reconsideration of [30-1] order to Dismiss defendant, Rhode Island Department of Corrections, for lack of prosecution, granting [29-1] motion for extention of Time to answer the Magistrate's Report and Recommendation. the court sees no reason contained inPlaintiff's filing for upsetting the Report and Recommendation of the Magistrate Judge. Therefore, the Magistrate Judge's Report and Recommendation is adopted in total and Plaintiff's Motion for Summary Judgment is denied; Defendant's Motion for Summary Judgment with respect to the First and Fourteenth Amendment claims is GRANTED and Plaintiff's claim under 42 USC Section 200 (cc) is stayed pending the resolution of Cutter v. Wilkinson, 349 F.3d 257 (6th Cir. 2004) cert. granted 125 S. Ct. 308 (2004) (signed by Judge William E. Smith) (mailed to ptf. and faxed to deft.) (Mercurio, A) Modified on 7/20/2005 (Mercurio, Alba-Sue). (Entered: 04/01/2005)
04/20/2005	37	NOTICE OF INTERLOCUTORY APPEAL of [36-1] order by Wesley Spratt - Notice of Appeal; Order dated 3/31/05; Plaintiff's Objection to the MJ R&R (doc #35); Plaintiff's letter to the Court (doc #34); order dated 2/10/05; R&R dated 1/18/05; R&R dated 1/13/05; Plaintiff's Motion for Summary Judgment and Immediate Injunctive Relief (Doc #23) (Baldinelli, D) (Entered: 04/20/2005)
04/20/2005		Notice of appeal and certified copy of docket to USCA: Notice of Appeal; Certified Docket; Order dated 3/31/05; Plaintiff's Objection to the MJ R&R (doc #35); Plaintiff's letter to the Court (doc #34); order dated 2/10/05; R&R dated 1/18/05; R&R

		dated 1/13/05; Plaintiff's Motion for Summary Judgment and Immediate Injunctive Relief (Doc #23) (Baldinelli, D) (Entered: 04/20/2005)
04/29/2005	38	MOTION by Wesley Spratt to Proceed in Forma Pauperis (Baldinelli, D) (Entered: 05/02/2005)
05/02/2005	39	NOTICE of Docketing ROA from USCA Re: Interlocutory Appeal (Baldinelli, D) (Entered: 05/02/2005)
05/03/2005	40	ORDER granting [38-1] motion to Proceed in Forma Pauperis (signed by Magistrate Judge Jacob Hagopian) Mailed to all parties. (Baldinelli, D) (Entered: 05/03/2005)
08/29/2005	41	ORDER - Plaintiff's RLUIPA claim is now ripe for consideration. The parties shall submit, in writing, within ten days, any further documentation and/or arguments in support of, or against, plaintiff's RLUIPA claim. Thereafter, the Court shall take the matter under advisement.. Signed by Magistrate Judge Jacob Hagopian on 8/29/05. (mailed and faxed to parties of record)(Mercurio, Alba-Sue) (Entered: 08/29/2005)
09/08/2005	42	SUPPLEMENTAL MEMORANDUM by A. T. Wall in support of [15] Motion for Summary Judgment. (Baldinelli, Doreen) (Entered: 09/09/2005)
09/13/2005	43	SUPPLEMENTAL MEMORANDUM by Wesley Spratt in support of [7] Motion for Summary Judgment. (Baldinelli, Doreen) (Entered: 09/13/2005)
10/03/2005	44	ORDER (Submissions on plaintiff's RLUIPA claim, this Court finds an issue unaddressed.) The parties are hereby ordered to address this issue in writing within ten days.. Signed by Judge Jacob Hagopian on October 3, 2005. (Baldinelli, Doreen) (Entered: 10/04/2005)
10/07/2005	45	MEMORANDUM addressing whether RLUIPS is Applicable to the Rhode Island Department of Corrections in Light of The Federal Funding Requirement of 42 USC ? 2000 cc-1(b)(1) by A. T. Wall 44 Order. (Baldinelli, Doreen) (Entered: 10/11/2005)
10/13/2005	46	MEMORANDUM Adressing whether RLUIPA is Applicable to the RI Department of Corrections re: 44 Order. (Baldinelli, Doreen) (Entered: 10/14/2005)
10/18/2005	47	MOTION for Reasonable Attorney Fees by Wesley Spratt. Responses due by 11/1/2005 (Baldinelli, Doreen) (Entered: 10/18/2005)
10/18/2005	48	MOTION for Special Damages Rule 9 (G) by Wesley Spratt.

		Responses due by 11/1/2005 (Baldinelli, Doreen) (Entered: 10/18/2005)
10/18/2005	49	MOTION to Amend the [1] Complaint by Wesley Spratt. Responses due by 11/1/2005 (Baldinelli, Doreen) (Entered: 10/18/2005)
10/19/2005	50	ORDER - After a review of the parties submissions on the plaintiff's claims under the Religious Land Use and Institutionalized Persons Act ("RLUIPA"), 42 USC Section 2000cc-1, the Court finds yet another issue unaddressed by the parties. The defendant shall detail, by way of affidavit or otherwise, how the restriction on the plaintiff's supervised preaching "is the least restrictive means" of furthering the Department of Corrections' security interest. The defendant shall comply within ten days. The plaintiff may provide a reply within ten days thereafter.. Signed by Magistrate Judge Jacob Hagopian on 10/18/05. (mailed to ptf. and faxed to deft.)(Mercurio, Alba-Sue) (Entered: 10/19/2005)
11/02/2005	51	MEMORANDUM by A. T. Wall in support of 50 Order. (Baldinelli, Doreen) (Entered: 11/02/2005)
11/03/2005		48 MOTION for Special Damages Rule 9 (G), 47 MOTION for Attorney Fees, 49 MOTION to Amend/Correct [1] Complaint REFERRED to MJ Hagopian. (Mercurio, Alba-Sue) (Entered: 11/03/2005)
11/14/2005	52	MEMORANDUM IN SUPPORT by Wesley Spratt 50 Order,, (Baldinelli, Doreen) (Entered: 11/14/2005)
11/21/2005	53	ORDER denying 47 Motion for Attorney Fees. No basis exists to award attorney's fees to the Pro Se plaintiff. Signed by Magistrate Judge Jacob Hagopian on 11/21/05. (mailed to ptf. and faxed to deft.) (Mercurio, Alba-Sue) Modified on 11/23/2005 (Gilfillan, Barbara)(correct spelling error). (Entered: 11/21/2005)
11/21/2005	54	ORDER denying 49 Motion to Amend/Correct . Amendment of the Complaint to include special damages would be futile. I have recommended that Summary Judgement be entered against the Plaintiff. Signed by Magistrate Judge Jacob Hagopian on 11/21/05. (mailed to ptf. and faxed to deft.) (Mercurio, Alba-Sue) (Entered: 11/21/2005)
11/21/2005	55	ORDER denying 48 Motion for Special Damages . No basis exists to award Pro Se Plaintiff the damages he seeks. Signed by Magistrate Judge Jacob Hagopian on 11/21/05. (mailed to ptf.

		and faxed to deft.) (Mercurio, Alba-Sue) (Entered: 11/21/2005)
11/21/2005	56	REPORT AND RECOMMENDATIONS re [23] Motion for Summary Judgment filed by Wesley Spratt,, [15] Motion for Summary Judgment filed by A. T. Wall,, [7] Motion for Summary Judgment filed by Wesley Spratt. Recommending plaintiff's motion for summary judgment be denied and the defendant's motion for summary judgment be granted on plaintiff's RLUIPA claim. Objections to R&R due by 12/6/2005. Signed by Magistrate Judge Jacob Hagopian on 11/21/05. (Mercurio, Alba-Sue) (Entered: 11/21/2005)
12/05/2005	57	RESPONSE IN OPPOSITION by Wesley Spratt re 55 ORDER denying 48 Motion for Special Damages . No basis exists to award Pro Se Plaintiff the damages he seeks. Signed by Magistrate Judge Jacob Hagopian on 11/21/05. (Baldinelli, Doreen) Modified on 12/6/2005 (Baldinelli, Doreen). Modified on 12/6/2005 (Baldinelli, Doreen). (Entered: 12/06/2005)
12/05/2005	58	MOTION for Extension of Time to file his objection to the Report and Recommendation dated November 22, 2005. by Wesley Spratt. Responses due by 12/19/2005 (Baldinelli, Doreen) (Entered: 12/06/2005)
12/05/2005	59	APPEAL OF MAGISTRATE JUDGE DECISION to District Court by Wesley Spratt re 53 Order on Motion for Attorney Fees, (Baldinelli, Doreen) (Entered: 12/06/2005)
12/06/2005		58 MOTION for Extension of Time to File REFERRED to Judge Smith. (Mercurio, Alba-Sue) (Entered: 12/06/2005)
12/09/2005	60	ORDER granting 58 Motion for Extension of Time. 1. Plaintiff has until January 9, 2006, to file his Memorandum in Support of his Objection to Magistrate Hagopian's Report and Recommendation. 2. The Government shall file its response by January 23, 2006. Signed by Judge William E Smith on 12/8/05. (mailed to ptf. and faxed to depts.) (Mercurio, Alba-Sue) (Entered: 12/09/2005)
01/11/2006	61	OBJECTION to 56 Report and Recommendations WITH SUPPORTING MEMO filed by Wesley Spratt. (Baldinelli, Doreen) Additional attachment(s) added on 1/12/2006 (Baldinelli, Doreen). (Entered: 01/12/2006)
01/19/2006	62	MOTION for Extension of Time up to and including February 28, 2006 in which to file a response to Plaintiff's Objection to the Magistrate's Report and Recommendation WITH SUPPORTING MEMO by A. T. Wall. Responses due by

		2/6/2006 (Baldinelli, Doreen) (Entered: 01/19/2006)
01/20/2006		62 MOTION for Extension of Time up to and including February 28, 2006 in which to file a response to Plaintiff's Objection to the Magistrate's Report and Recommendation REFERRED to Judge Smith. (Mercurio, Alba-Sue) (Entered: 01/20/2006)
01/24/2006	63	ORDER granting 62 Motion for Extension of Time . Signed by Judge William E Smith on 1/23/06. (mailed to ptf. and faxed to deft.) (Mercurio, Alba-Sue) (Entered: 01/24/2006)
03/02/2006	64	MEMORANDUM by A. T. Wall in Opposition of 61 Objection to Report and Recommendations. (Attachments: # 1 Correspondence)(Baldinelli, Doreen) Modified on 3/7/2006 (Baldinelli, Doreen). (Entered: 03/02/2006)
03/07/2006		Set/Reset Deadlines as to [15] Motion for Summary Judgment, [23] Motion for Summary Judgment, [7] Motion for Summary Judgment, 56 REPORT AND RECOMMENDATIONS re [23] Motion for Summary Judgment filed by Wesley Spratt,, [15] Motion for Summary Judgment filed by A. T. Wall,, [7] Motion for Summary Judgment filed by Wesley Spratt. Motion Hearing set for 4/6/2006 10:00 AM before Judge William E Smith. (Mercurio, Alba-Sue) (Entered: 03/07/2006)
03/07/2006	65	ORDER denying 57 Plaintiff's Objection to the Magistrate's Ruling for Special Damages, filed by Wesley Spratt, . Signed by Judge William E Smith on 3/7/06. (mailed to ptf. and faxed to deft.)(Mercurio, Alba-Sue) (Entered: 03/08/2006)
03/07/2006	66	ORDER denying re 59 Plaintiff's Objection to the Magistrate's Motion for Reasonable Attorney Fees filed by Wesley Spratt. Signed by Judge William E Smith on 3/7/06. (mailed to ptf. and faxed to deft.)(Mercurio, Alba-Sue) (Entered: 03/08/2006)
03/13/2006	67	MOTION to Extend Time of five (5) days, or up to and including Friday, March 17, 2006 for filing Plaintiff's Reply Memorandum in Support of Objection to R&R. by Wesley Spratt. Responses due by 3/30/2006 (Baldinelli, Doreen) (Entered: 03/13/2006)
03/17/2006	68	REPLY MEMORANDUM by Wesley Spratt in support of 61 Objection to Report and Recommendations. Exhibit A - Program Statement (Baldinelli, Doreen) (Entered: 03/17/2006)
04/06/2006		Minute Entry for proceedings held before Judge William E Smith : Motion Hearing held on 4/6/2006 re [23] Motion for Summary Judgment filed by Wesley Spratt,, [15] Motion for

		Summary Judgment filed by A. T. Wall,, [7] Motion for Summary Judgment filed by Wesley Spratt. Carly Iafrate, Esq. argues for ptf. and Patricia Coyne-Fague argues for deft. Ct. Rprtr: Anne Clayton. After hearing arguments by counsel, court will issue a written decision within a couple of months. (Court Reporter Anne Clayton.) (Mercurio, Alba-Sue) (Entered: 04/06/2006)
04/27/2006	69	MANDATE of USCA as to [37] Notice of Interlocutory Appeal, filed by Wesley Spratt, - Dismissing the instant appeal for lack of jurisdiction. (Baldinelli, Doreen) (Entered: 04/27/2006)
05/04/2006	70	USCA JUDGMENT as to [37] Notice of Interlocutory Appeal, filed by Wesley Spratt, - DISMISSED for lack of jurisdiction. (Baldinelli, Doreen) (Entered: 05/04/2006)
05/04/2006	71	USCA Case Number 05-1583 for [37] Notice of Interlocutory Appeal, filed by Wesley Spratt,. (Baldinelli, Doreen) (Entered: 05/04/2006)
05/09/2006	72	MOTION to File a Supplemental Memorandum Based on New Information WITH SUPPORTING MEMO by A. T. Wall. Responses due by 5/26/2006 (Baldinelli, Doreen) Additional attachment(s) added on 5/9/2006 (Baldinelli, Doreen). (Entered: 05/09/2006)
05/11/2006	73	ORDER granting 72 Motion for Leave to File . Signed by Judge William E Smith on 5/11/06. (mailed to ptf. and counsel of record) (Mercurio, Alba-Sue) (Entered: 05/11/2006)
05/12/2006	75	RESPONSE in Opposition re 72 MOTION for Leave to File filed by Wesley Spratt. (Baldinelli, Doreen) (Entered: 05/17/2006)
05/15/2006	74	SUPPLEMENTAL MEMORANDUM by A. T. Wall in support of 72 MOTION for Leave to File. (Attachments: # 1 Exhibit A - Report)(Baldinelli, Doreen) (Entered: 05/17/2006)
05/24/2006	76	MEMORANDUM by Wesley Spratt in opposition to 74 Supplemental Memorandum(Baldinelli, Doreen) (Entered: 05/24/2006)
06/06/2006	77	DECISION AND ORDER DENYING [23] Motion for Summary Judgment filed by Wesley Spratt, GRANTING [15] Motion for Summary Judgment filed by A. T. Wall, 56 Report and Recommendations. Signed by Judge William E Smith on 6/5/06. (mailed and faxed to parties of record)(Mercurio, Alba-Sue) (Entered: 06/06/2006)

06/06/2006	78	JUDGMENT in favor of Defendants against Plaintiff. Signed by Deputy Clerk on 6/6/06. (mailed and faxed to parties of record)(Mercurio, Alba-Sue) (Entered: 06/06/2006)
06/19/2006	79	AFFIDAVIT filed by Wesley Spratt re: [23] Motion for Summary Judgment. (Baldinelli, Doreen) Modified on 6/19/2006 (Baldinelli, Doreen). (Entered: 06/19/2006)
06/30/2006	80	NOTICE OF APPEAL as to 78 Judgment by Wesley Spratt. Filing fee \$ 455. Sent to USCA - Court File, Notice of Appeal and Certified docket(Baldinelli, Doreen) (Entered: 06/30/2006)
06/30/2006	81	Certified and Transmitted Record on Appeal to US Court of Appeals re 80 Notice of Appeal - Sent Court File, Certified Docket, Notice of Appeal. (Baldinelli, Doreen) (Entered: 06/30/2006)
07/13/2006	82	USCA Case Number 06-2038 for 80 Notice of Appeal filed by Wesley Spratt,. (Baldinelli, Doreen) (Entered: 07/13/2006)
08/10/2006	83	TRANSCRIPT of Proceedings held on April 6, 2006 before Judge William E. Smith. Court Reporter: Anne Clayton.. (Baldinelli, Doreen) (Entered: 08/10/2006)
08/10/2006	84	Supplemental Record on Appeal transmitted to US Court of Appeals re 80 Notice of Appeal - Sent to USCA - Transcript dated April 6, 2006 (Baldinelli, Doreen) (Entered: 08/10/2006)
08/14/2006	85	USCA Case Number 06-2038 for 80 Notice of Appeal filed by Wesley Spratt,. (Baldinelli, Doreen) (Entered: 08/14/2006)
08/25/2006	86	STIPULATION to correct record by Wesley Spratt, Rhode Island Department of Corrections, A. T. Wall. (Attachments: # 1 Exhibit A# 2 Exhibit B)(Mercurio, Alba-Sue) (Entered: 08/25/2006)
08/28/2006	87	STIPULATION supplementing record to Court of Appeals. Signed by Judge William E Smith on 8/28/06. (Mercurio, Alba-Sue) (Entered: 08/28/2006)
08/28/2006	88	Supplemental Record on Appeal transmitted to US Court of Appeals re 80 Notice of Appeal; sent 86 Stipulation and certified docket (Mercurio, Alba-Sue) Additional attachment(s) added on 8/28/2006 (Mercurio, Alba-Sue). (Entered: 08/28/2006)
08/28/2006		CORRECTIVE DOCKET ENTRY re: 88 Supplemental ROA Sent to USCA - Error: Document not attached; Correction: attached document (Mercurio, Alba-Sue) (Entered: 08/28/2006)

04/10/2007	89	USCA JUDGMENT as to 80 Notice of Appeal filed by Wesley Spratt. The district court's judgment is reversed, and the matter is remanded for further disposition in accordance with the opinion issued this day. (Geile, Wendy) (Entered: 04/10/2007)
05/01/2007	90	MANDATE of USCA (Certified Judgment) as to 80 Notice of Appeal filed by Wesley Spratt, [37] Notice of Interlocutory Appeal, filed by Wesley Spratt. The district court's JUDGMENT IS REVERSED and the matter is REMANDED for further disposition in accordance with the opinion issued this day. (Geile, Wendy) (Entered: 05/01/2007)
05/01/2007		Appeal Record Returned: 80 Notice of Appeal, [37] Notice of Interlocutory Appeal, (Geile, Wendy) (Entered: 05/01/2007)
05/02/2007		NOTICE of Hearing: In Chambers Conference set for 5/16/2007 at 9:30 AM in Judge Smith Chambers before Judge William E Smith. (Baldinelli, Doreen) (Entered: 05/02/2007)
05/16/2007		Minute Entry for proceedings held before Judge William E Smith : Status Conference held on 5/16/2007. Lynette Labinger for Plaintiff. Patricia Anne Coyne-Fague for Defendant. (Baldinelli, Doreen) (Entered: 05/16/2007)
05/17/2007	91	ORDER OF SETTLEMENT CONFERENCE. So Ordered by Judge William E Smith on 05/16/2007. (Baldinelli, Doreen) (Entered: 05/17/2007)
05/29/2007	92	REVISED ORDER OF SETTLEMENT CONFERENCE. So Ordered by Judge William E Smith on 05/25/2007. (Baldinelli, Doreen) (Entered: 05/29/2007)
06/08/2007	93	ORDER of USCA as to 69 re: [37] Notice of Interlocutory Appeal, filed by Wesley Spratt. (Geile, Wendy) (Entered: 06/08/2007)
07/30/2007	94	CONSENT JUDGMENT. So Ordered by Judge William E Smith on 07/30/2007. (Baldinelli, Doreen) (Entered: 07/30/2007)

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