

TERMED

**U.S. District Court – District of Colorado  
District of Colorado (Denver)  
CIVIL DOCKET FOR CASE #: 1:12-cv-01144-RPM**

Vega v. Davis  
Assigned to: Judge Richard P. Matsch  
Case in other court: USCA, 13-01268  
USCA, 16-01028  
Cause: 42:1983 Civil Rights Act

Date Filed: 05/01/2012  
Date Terminated: 12/31/2015  
Jury Demand: Both  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

**Raymond Vega**  
*Personal Representative of the  
Estate of  
Jose Martin Vega*

represented by **Christopher Scott Morrow**  
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**Plaintiff**

**Raymond (I) Vega**

represented by **Edwin Packard Aro**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Robert Paul Taylor**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Blake R. Davis**  
*and certain additional unknown agents of  
 the United States Bureau of Prisons*

represented by **Amy L. Padden**  
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**Interested Party****Warren Daniel Clinton**

represented by **Warren Daniel Clinton**  
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 PRO SE

| Date Filed | #        | Docket Text                                                                                                                                                        |
|------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 05/01/2012 | <u>1</u> | COMPLAINT <i>and Jury Demand</i> against All Defendants (Filing fee \$ 350, Receipt Number 1082-2819497), filed by Raymond Vega.(Aro, Edwin) (Entered: 05/01/2012) |
| 05/01/2012 | 2        | Case assigned to Judge Richard P. Matsch and drawn to Magistrate Judge Micheal E. Hegarty. Text Only Entry (sphil, ) (Entered: 05/02/2012)                         |
| 05/02/2012 | <u>3</u> | Magistrate Judge Consent Form issued. No summons issued. (sphil, ) (Entered: 05/02/2012)                                                                           |
| 06/15/2012 | 4        | SUMMONS REQUEST as to Defendant, Blake R. Davis re <u>1</u> Complaint by Plaintiff Raymond Vega. (Aro, Edwin) (Entered: 06/15/2012)                                |
| 06/15/2012 | <u>5</u> | NOTICE re <u>1</u> Complaint <i>Civil Cover Sheet</i> by Plaintiff Raymond Vega (Aro, Edwin) (Entered: 06/15/2012)                                                 |
| 06/15/2012 | <u>6</u> | SUMMONS issued by Clerk. (jjhsl, ) (Entered: 06/15/2012)                                                                                                           |
| 08/14/2012 | <u>7</u> | NOTICE of Entry of Appearance by Amy L. Padden on behalf of Blake R. Davis (Padden, Amy) (Entered: 08/14/2012)                                                     |

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| 08/14/2012 | <u>8</u>  | STIPULATION for Extension of Time to Answer or Respond to the Complaint by Defendant Blake R. Davis. Blake R. Davis answer due 8/23/2012. (Padden, Amy) (Entered: 08/14/2012)                                                                                                                                                                                                                                                                                                        |
| 08/22/2012 | <u>9</u>  | Unopposed MOTION for Extension of Time to File Answer or Otherwise Respond re <u>1</u> Complaint by Defendant Blake R. Davis. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Padden, Amy) (Entered: 08/22/2012)                                                                                                                                                                                                                                                                 |
| 08/23/2012 | <u>10</u> | ORDER granting <u>9</u> Motion for Extension of Time for Blake Davis to Answer or Otherwise Respond to the Complaint. It is ordered that Defendant Davis may file his response to Plaintiff's complaint 20 days after service of Plaintiff's amended complaint by Judge Richard P. Matsch on 08/23/12.(jjhsl, ) (Entered: 08/23/2012)                                                                                                                                                |
| 08/30/2012 | <u>11</u> | Unopposed MOTION for Leave to <i>File First Amended Complaint</i> by Plaintiff Raymond Vega. (Attachments: # <u>1</u> Amended Complaint, # <u>2</u> Exhibit A – Part 1 to Amended Complaint, # <u>3</u> Exhibit A – Part 2 to Amended Complaint, # <u>4</u> Exhibit A – Part 3 to Amended Complaint, # <u>5</u> Exhibit B – Part 1 to Amended Complaint, # <u>6</u> Exhibit B – Part 2 to Amended Complaint, # <u>7</u> Proposed Order (PDF Only))(Aro, Edwin) (Entered: 08/30/2012) |
| 08/31/2012 | <u>12</u> | ORDER Granting <u>11</u> Motion for Leave to File First Amended Complaint re <u>1</u> and [11–1]: Amended Complaint attached to Plaintiff's motion is hereby accepted for filing, by Judge Richard P. Matsch on 8/31/2012.(rpmcd) (Entered: 08/31/2012)                                                                                                                                                                                                                              |
| 08/31/2012 | <u>13</u> | AMENDED COMPLAINT And Jury Demand against Blake R. Davis, filed by Raymond Vega. (Attachments: # <u>1</u> Exhibit A Part 1 to Amended Complaint, # <u>2</u> Exhibit A – Part 2 to Amended Complaint, # <u>3</u> Exhibit A – Part 3 to Amended Complaint, # <u>4</u> Exhibit B – Part 1 to Amended Complaint, # <u>5</u> Exhibit B – Part 2 to Amended Complaint)(rpmcd) (Entered: 08/31/2012)                                                                                        |
| 09/20/2012 | <u>14</u> | MOTION to Dismiss for Failure to State a Claim by Defendant Blake R. Davis. (Padden, Amy) (Entered: 09/20/2012)                                                                                                                                                                                                                                                                                                                                                                      |
| 10/10/2012 | <u>15</u> | Unopposed MOTION for Extension of Time to File Response/Reply as to <u>14</u> MOTION to Dismiss for Failure to State a Claim by Plaintiff Raymond Vega. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Aro, Edwin) (Entered: 10/10/2012)                                                                                                                                                                                                                                        |
| 10/12/2012 | <u>16</u> | ORDER Granting <u>15</u> Motion for Extension of Time to File Response : Plaintiff shall respond to Defendant Davis's <u>14</u> Motion to Dismiss no later than October 22, 2012, by Judge Richard P. Matsch on 10/12/2012.(rpmcd) (Entered: 10/12/2012)                                                                                                                                                                                                                             |
| 10/22/2012 | <u>17</u> | RESPONSE to <u>14</u> MOTION to Dismiss for Failure to State a Claim filed by Plaintiff Raymond Vega. (Aro, Edwin) (Entered: 10/22/2012)                                                                                                                                                                                                                                                                                                                                             |
| 11/05/2012 | <u>18</u> | Unopposed MOTION for Extension of Time to File Response/Reply as to <u>14</u> MOTION to Dismiss for Failure to State a Claim by Defendant Blake R. Davis. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Padden, Amy) (Entered: 11/05/2012)                                                                                                                                                                                                                                     |
| 11/06/2012 | <u>19</u> | ORDER Granting Defendant's <u>18</u> Motion for Extension of Time to File Reply re <u>14</u> , to and including November 14, 2012, by Judge Richard P. Matsch on 11/6/2012.(rpmcd) (Entered: 11/06/2012)                                                                                                                                                                                                                                                                             |
| 11/14/2012 | <u>20</u> | REPLY to Response to <u>14</u> MOTION to Dismiss for Failure to State a Claim filed by Defendant Blake R. Davis. (Padden, Amy) (Entered: 11/14/2012)                                                                                                                                                                                                                                                                                                                                 |
| 03/26/2013 | <u>21</u> | Minute ORDER Setting Hearing on <u>14</u> MOTION to Dismiss for Failure to State a Claim for 4/23/2013 at 02:00 PM in Courtroom A, by Judge Richard P. Matsch on 3/26/2013. (rpmcd) (Entered: 03/26/2013)                                                                                                                                                                                                                                                                            |
| 04/22/2013 | <u>22</u> | NOTICE of Entry of Appearance by Christopher Scott Morrow on behalf of Raymond Vega (Morrow, Christopher) (Entered: 04/22/2013)                                                                                                                                                                                                                                                                                                                                                      |
| 04/22/2013 | <u>23</u> | NOTICE of Entry of Appearance by Maurice Abraham Leiter on behalf of Raymond Vega (Leiter, Maurice) (Entered: 04/22/2013)                                                                                                                                                                                                                                                                                                                                                            |
| 04/23/2013 | <u>24</u> | Courtroom Minutes for Motion Hearing held on 4/23/2013 before Judge Richard P. Matsch. ORDERED: Motion to Dismiss by Defendant Davis, <u>14</u> in case 12–cv–01144–RPM, is granted with respect to the First Amendment Claim and denied in all other respects. Defendant shall file an answer in accordance with the rules.                                                                                                                                                         |

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|            |           | Conference set for 5/24/2013 AT 02:00 PM in Conference Room (requirement of Rule 16 not applicable). FTR: K. Terasaki. (rpmcd ) (Entered: 04/23/2013)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 04/23/2013 | <u>25</u> | Restricted Audio File – Level 3 regarding Motion Hearing <u>24</u> held on 04/23/2013 at 2:00pm before Senior District Judge Richard P. Matsch. AUDIO FILE SIZE (16.0 MB) (ktera, ) (Entered: 04/24/2013)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 05/06/2013 | <u>26</u> | NOTICE of Entry of Appearance by Robert Paul Taylor on behalf of All Plaintiffs (Taylor, Robert) (Entered: 05/06/2013)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 05/07/2013 | <u>27</u> | ANSWER to <u>13</u> Amended Complaint, by Blake R. Davis.(Padden, Amy) (Entered: 05/07/2013)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 05/22/2013 | <u>28</u> | NOTICE of Plaintiff's Submission of Proposed Scheduling Order and Proposed First Set of Document Requests by Plaintiff Raymond Vega (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Aro, Edwin) (Entered: 05/22/2013)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 05/24/2013 | <u>29</u> | RESPONSE to <u>28</u> Notice (Other) by Defendant Blake R. Davis. (Attachments: # <u>1</u> Exhibit A – transcript of 4/23/13 hearing, # <u>2</u> Exhibit B – email)(Padden, Amy) (Entered: 05/24/2013)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 05/24/2013 | <u>30</u> | Courtroom Minutes for Conference held on 5/24/2013 before Judge Richard P. Matsch. ORDERED: Plaintiffs' First Amended Complaint (12–cv–01570–RPM) is accepted and counsel shall file it today. Defendants have thirty days to file an answer. Scheduling Conference set for 7/12/2013 AT 10:00 AM in Conference Room. FTR: K. Terasaki. (rpmcd ) Modified on 5/24/2013 (rpmcd ). (Entered: 05/24/2013)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 06/14/2013 | <u>31</u> | Unopposed MOTION for Leave to <i>Depose Incarcerated Witness John J. Powers</i> by Plaintiff Raymond Vega. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Aro, Edwin) (Entered: 06/14/2013)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 06/17/2013 | <u>32</u> | ORDER Granting <u>31</u> Motion for Leave: Plaintiffs in both of the above captioned actions are granted leave to take the deposition of JOHN J. POWERS (BOP Register No. 03220–028) at the United States Medical Center for Federal Prisoners in Springfield, Missouri, beginning on June 25, 2013, and continuing thereafter until completed, by Judge Richard P. Matsch on 6/17/2013.(rpmcd ) (Entered: 06/17/2013)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 06/20/2013 | <u>33</u> | TRANSCRIPT of Conference held on May 24, 2013 before Judge Matsch. Pages: 1–55. Prepared by: Federal Reporting Service, Inc.<br><br><b>NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b><br>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 9/23/2013. (Federal Reporting Service, Inc., ) (Entered: 06/20/2013) |
| 06/21/2013 | <u>34</u> | NOTICE OF APPEAL as to <u>24</u> Order on Motion to Dismiss for Failure to State a Claim,, Motion Hearing,, Set/Reset Hearings, by Defendant Blake R. Davis (Padden, Amy) (Entered: 06/21/2013)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 06/24/2013 | <u>35</u> | LETTER Transmitting Notice of Appeal to all counsel advising of the transmittal of the <u>34</u> Notice of Appeal filed by Blake R. Davis to the U.S. Court of Appeals. (USA) (Attachments: # <u>1</u> Docket Sheet, # <u>2</u> Preliminary Record)(mjfsl) (Entered: 06/24/2013)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 06/24/2013 | <u>36</u> | USCA Case Number 13–1268 for <u>34</u> Notice of Appeal filed by Blake R. Davis. (dbrow, ) (Entered: 06/25/2013)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 07/08/2013 | <u>37</u> | TRANSCRIPT ORDER FORM re <u>34</u> Notice of Appeal by Defendant Blake R. Davis (Padden, Amy) (Entered: 07/08/2013)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 07/08/2013 | <u>38</u> | LETTER TO USCA and all counsel certifying the record is complete as to <u>34</u> Notice of Appeal filed by Blake R. Davis. A transcript order form was filed stating that the                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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|            |           | necessary transcript is already on file. ( Appeal No. 13-1268) Text Only Entry (dbrow, ) (Entered: 07/08/2013)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 07/12/2013 | <u>39</u> | Courtroom Minutes for Scheduling Conference held on 7/12/2013 before Judge Richard P. Matsch. ORDERED: Further Scheduling Conference set for 8/2/2013 at 02:00 PM in Conference Room. FTR: K. Terasaki. (rpmcd) (Entered: 07/12/2013)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 07/22/2013 | <u>40</u> | ORDER Granting [Doc. 76 in 12-cv-01570-RPM] Motion for Leave to Depose Incarcerated Witness Richie Antonio Hill, by Judge Richard P. Matsch on 7/22/2013 (12-cv-01144-RPM and 12-cv-01570-RPM).(rpmcd). (Entered: 07/22/2013)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 08/02/2013 | <u>41</u> | Courtroom Minutes for Further Scheduling Conference held on 8/2/2013 before Judge Richard P. Matsch. ORDERED: Further scheduling conference set October 1, 2013 at 2:00 p.m. Proposed scheduling order due September 23, 2013. Plaintiff's memorandum of law addressing CLA (P&A) association standing, exhaustion and PLRA due August 26, 2013. Defendants response due September 16, 2013.No reply. FTR: K. Terasaki. (rpmcd ) (Entered: 08/02/2013)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 08/13/2013 | <u>42</u> | TRANSCRIPT of Further Scheduling Conference held on August 2, 2013 before Judge Matsch. Pages: 1-38. Prepared by: Federal Reporting Service, Inc.<br><br><b>NOTICE - REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b><br>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. Release of Transcript Restriction set for 11/15/2013. (Federal Reporting Service, Inc., ) (Entered: 08/13/2013) |
| 07/22/2014 | <u>43</u> | USCA ORDER AND JUDGMENT as to <u>34</u> Notice of Appeal filed by Blake R. Davis : We REVERSE the district court's order denying Davis' motion to dismisscount one and REMAND with direction to grant Davis' motion to dismiss countone. (USCA Case No. 13-1258) (This document is not the Mandate) (dbrow, ) (Entered: 07/22/2014)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 11/12/2014 | <u>44</u> | MANDATE of USCA as to <u>34</u> Notice of Appeal filed by Blake R. Davis (USCA Case No. 13-1268) (dkals, ) (Entered: 11/12/2014)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 11/13/2014 | <u>45</u> | ORDER OF DISMISSAL RE <u>43</u> / <u>44</u> : the "Count One", more properly identified as the First Cause of Action, in the Amended Complaint <u>13</u> is dismissed. And this Court having previously dismissed the Second Cause of Action in the Amended Complaint. Clerk shall enter final judgment dismissing this civil action, by Judge Richard P. Matsch on 11/13/2014. (jsmit) (Entered: 11/13/2014)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 11/13/2014 | <u>46</u> | <b>VACATED</b> FINAL JUDGMENT re: <u>45</u> Order, by Clerk on 11/13/2014. (jsmit)(Modified on 4/24/2015 Vacated pursuant to the <u>56</u> Order)(evana, ). (Entered: 11/13/2014)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 12/11/2014 | <u>47</u> | MOTION for Leave to <i>Seek Relief from Judgment and Leave to Amend Complaint and Memorandum of Points and Authorities</i> by Plaintiff Raymond Vega. (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)(Aro, Edwin) (Entered: 12/11/2014)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 12/26/2014 | <u>48</u> | Unopposed MOTION for Extension of Time to File Response/Reply as to <u>47</u> MOTION for Leave to <i>Seek Relief from Judgment and Leave to Amend Complaint and Memorandum of Points and Authorities</i> by Defendant Blake R. Davis. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Padden, Amy) (Entered: 12/26/2014)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 12/29/2014 | <u>49</u> | ORDER granting <u>48</u> Blake Daviss Unopposed motion for a 10-day extension of time to respond to Plaintiffs <u>47</u> Motion for Relief from Judgment and for Leave to Amend Complaint up to and including January 15, 2015, to respond to the motion, by Judge Richard P. Matsch on 12/29/2014.(evana, ) (Modified on 2/24/2015 corrected link to <u>48</u> Motion)(evana, ). (Entered: 12/29/2014)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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| 01/15/2015 | <u>50</u> | RESPONSE to <u>47</u> MOTION for Leave to <i>Seek Relief from Judgment and Leave to Amend Complaint and Memorandum of Points and Authorities</i> filed by Defendant Blake R. Davis. (Attachments: # <u>1</u> Exhibit A – Certification of Identity, # <u>2</u> Exhibit B – excerpts from May 2013 hearing, # <u>3</u> Exhibit C – Policy Statement)(Padden, Amy) (Entered: 01/15/2015)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 01/29/2015 | <u>51</u> | REPLY to Response to <u>47</u> MOTION for Leave to <i>Seek Relief from Judgment and Leave to Amend Complaint and Memorandum of Points and Authorities</i> filed by Plaintiff Raymond Vega. (Aro, Edwin) (Entered: 01/29/2015)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 03/13/2015 | <u>52</u> | MINUTE ORDER Setting Hearing on <u>47</u> MOTION for Leave to Seek Relief from Judgment and Leave to Amend Complaint and Memorandum of Points and Authorities. Motion Hearing set for 4/16/2015 10:30 AM in the Conference Room, Second Floor, the Byron White United States Courthouse, 1823 Stout Street, Denver, Colorado, by Judge Richard P. Matsch on 3/13/15. (ktera) (Entered: 03/13/2015)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 04/14/2015 | <u>53</u> | NOTICE of Entry of Appearance by Veronica Ellen Rendon on behalf of Raymond VegaAttorney Veronica Ellen Rendon added to party Raymond Vega(pty:pla) (Rendon, Veronica) (Entered: 04/14/2015)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 04/16/2015 | <u>54</u> | MINUTE ENTRY for Motion Hearing proceedings held before Judge Richard P. Matsch on 4/16/2015. Granting <u>47</u> Motion for Leave. Plaintiff shall have to and including June 15, 2015 to file the amended complaint. FTR: Kathy Terasaki. (babia) (Entered: 04/16/2015)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 04/22/2015 | <u>55</u> | TRANSCRIPT of Motion Hearing held on April 16, 2015 before Judge Matsch. Pages: 1–18. Prepared by: Federal Reporting Service, Inc.<br><b>NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b><br>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. (Federal Reporting Service, Inc., ) (Entered: 04/22/2015) |
| 04/23/2015 | <u>56</u> | ORDER Granting <u>47</u> Motion for Relief from Judgment and Leave to Amend Complaint. Final Judgment <u>46</u> entered on November 13, 2014, is vacated and the plaintiff has to and including June 15, 2015, within which to file a new amended complaint, by Judge Richard P. Matsch on 4/23/2015. (ktera) (Entered: 04/23/2015)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 06/12/2015 | <u>57</u> | Unopposed MOTION for Extension of Time to <i>File a Second Amended Complaint</i> by Plaintiff Raymond Vega. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Rendon, Veronica) (Entered: 06/12/2015)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 06/15/2015 | <u>58</u> | ORDER Granting <u>57</u> Plaintiff's Unopposed Motion for an Extension of Time to file a Second Amended Complaint. Plaintiff may have up to July 1, 2015 to file a Second Amended Complaint, by Judge Richard P. Matsch on 6/15/2015. (ktera) (Entered: 06/15/2015)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 06/22/2015 | <u>59</u> | MOTION for Discovery by Interested Party Warren Clinton. (evana, ) (Modified on 6/23/2015 corrected filer)(evana, ). (Entered: 06/23/2015)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 06/25/2015 | <u>60</u> | Unopposed MOTION for Extension of Time to <i>File a Second Amended Complaint</i> by Plaintiff Raymond Vega. (Attachments: # <u>1</u> Exhibit A)(Rendon, Veronica) (Entered: 06/25/2015)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 06/25/2015 | <u>61</u> | ORDER Granting Plaintiff's second unopposed motion for an extension of time, to and including July 15, 2015, to file his second amended complaint, by Judge Richard P. Matsch on 6/25/15. (ktera) (Entered: 06/25/2015)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 07/15/2015 | <u>62</u> | AMENDED COMPLAINT ( <i>Second</i> ) and <i>Jury Demand</i> against Blake R. Davis, filed by Raymond Vega. (Attachments: # <u>1</u> Exhibit A – Part 1)(Rendon, Veronica) (Entered: 07/15/2015)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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| 07/15/2015 | <u>63</u> | Exhibits in Support of <u>62</u> Amended Complaint ( <i>Second</i> ) and Jury Demand by Plaintiff Raymond Vega. (Attachments: # <u>1</u> Exhibit A – Part 2, # <u>2</u> Exhibit A – Part 3)(Rendon, Veronica) (Entered: 07/15/2015)                                                                                                                                     |
| 07/15/2015 | <u>64</u> | Exhibits in Support of <u>62</u> Amended Complaint ( <i>Second</i> ) and Jury Demand by Plaintiff Raymond Vega. (Attachments: # <u>1</u> Exhibit B, # <u>2</u> Exhibit C, # <u>3</u> Exhibit D, # <u>4</u> Exhibit E, # <u>5</u> Exhibit F, # <u>6</u> Exhibit G, # <u>7</u> Exhibit H – Part 1, # <u>8</u> Exhibit H – Part 2)(Rendon, Veronica) (Entered: 07/15/2015) |
| 07/29/2015 | <u>65</u> | Unopposed MOTION for Extension of Time to File Answer or Otherwise Respond re <u>62</u> Amended Complaint by Defendant Blake R. Davis. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Padden, Amy) (Entered: 07/29/2015)                                                                                                                                           |
| 07/30/2015 | <u>66</u> | ORDER Granting <u>65</u> Blake Davis's motion for an extension of time to respond to Plaintiff's Second Amended Complaint <u>62</u> . Mr. Davis is granted up to and including August 28, 2015, to respond, by Judge Richard P. Matsch on 7/30/15. (ktera) (Entered: 07/30/2015)                                                                                        |
| 08/12/2015 | <u>67</u> | MOTION to Dismiss <i>Claim Two of Second Amended Complaint</i> by Plaintiff Raymond Vega. (Rendon, Veronica) (Entered: 08/12/2015)                                                                                                                                                                                                                                      |
| 08/26/2015 | <u>68</u> | LETTER from David L. Womack. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Envelope)(cthom, ) (Entered: 08/27/2015)                                                                                                                                                                                                                                                      |
| 08/26/2015 | <u>69</u> | LETTER from David L. Womack (Attachments: # <u>1</u> Exhibit, # <u>2</u> Envelope)(cthom, ) (Entered: 08/27/2015)                                                                                                                                                                                                                                                       |
| 08/28/2015 | <u>70</u> | MOTION to Dismiss for Failure to State a Claim by Defendant Blake R. Davis. (Attachments: # <u>1</u> Exhibit A)(Padden, Amy) (Entered: 08/28/2015)                                                                                                                                                                                                                      |
| 09/02/2015 | <u>71</u> | Unopposed MOTION for Extension of Time to <i>File an Opposition in Response to the Motion to Dismiss by Blake Davis</i> by Plaintiff Raymond Vega. (Rendon, Veronica) (Entered: 09/02/2015)                                                                                                                                                                             |
| 09/03/2015 | <u>72</u> | ORDER Granting <u>71</u> Plaintiff's unopposed motion for an extension of time, to and including October 21, 2015, to file a response to the motion to dismiss, by Judge Richard P. Matsch on 9/3/15. (ktera) (Entered: 09/03/2015)                                                                                                                                     |
| 10/21/2015 | <u>73</u> | RESPONSE to <u>70</u> MOTION to Dismiss for Failure to State a Claim filed by Plaintiff Raymond Vega. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Callahan, Veronica) (Entered: 10/21/2015)                                                                                                                   |
| 11/06/2015 | <u>74</u> | Unopposed MOTION for Extension of Time to File Response/Reply as to <u>70</u> MOTION to Dismiss for Failure to State a Claim by Defendant Blake R. Davis. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Padden, Amy) (Entered: 11/06/2015)                                                                                                                        |
| 11/09/2015 | <u>75</u> | ORDER Granting <u>74</u> Defendant Blake Davis' motion for an extension of time, to and including December 4, 2015, to file a reply in support of his Motion to Dismiss Plaintiff's Second Amended Complaint, by Judge Richard P. Matsch on 11/9/15. (ktera) (Entered: 11/09/2015)                                                                                      |
| 12/02/2015 | <u>76</u> | Unopposed MOTION for Extension of Time to File Response/Reply as to <u>70</u> MOTION to Dismiss for Failure to State a Claim by Defendant Blake R. Davis. (Attachments: # <u>1</u> Proposed Order (PDF Only))(Padden, Amy) (Entered: 12/02/2015)                                                                                                                        |
| 12/03/2015 | <u>77</u> | ORDER Granting <u>76</u> Unopposed Motion for Extension to File Reply In Support of Motion to Dismiss, up to and including December 14, 2015, to respond to the Second Amended Complaint, by Judge Richard P. Matsch on 12/3/15. (ktera) (Entered: 12/03/2015)                                                                                                          |
| 12/14/2015 | <u>78</u> | REPLY to Response to <u>70</u> MOTION to Dismiss for Failure to State a Claim filed by Defendant Blake R. Davis. (Attachments: # <u>1</u> Exhibit A – Control Unit Programs, # <u>2</u> Exhibit B – Excerpts from Psychology Services Manual, # <u>3</u> Exhibit C – Discharge Summary, # <u>4</u> Exhibit D – Discharge Summary)(Padden, Amy) (Entered: 12/14/2015)    |
| 12/31/2015 | <u>79</u> | ORDER that the defendants motion to dismiss is granted and the Clerk shall entered judgment dismissing this civil action with an award of costs, by Judge Richard P. Matsch on 12/31/2015.(evana, ) (Entered: 12/31/2015)                                                                                                                                               |

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| 12/31/2015 | <u>80</u> | JUDGMENT Pursuant to the Order for Dismissal entered by Senior Judge Richard P. Matsch on December 31, 2015, it is ORDERED AND ADJUDGED that this civil action is dismissed. Defendant is awarded costs upon the filing of a bill of costs within 14 days, by Judge Richard P. Matsch on 12/31/2015. (evana, ) (Entered: 12/31/2015)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 01/14/2016 | <u>81</u> | Proposed Bill of Costs by Defendant Blake R. Davis. (Padden, Amy) (Entered: 01/14/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 01/21/2016 | <u>82</u> | NOTICE OF APPEAL as to <u>79</u> Order on Motion to Dismiss for Failure to State a Claim by Plaintiff Raymond Vega (Filing fee \$ 505, Receipt Number 1082-4790904) (Callahan, Veronica) (Entered: 01/21/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 01/27/2016 | <u>83</u> | LETTER Transmitting Notice of Appeal to all counsel advising of the transmittal of the <u>82</u> Notice of Appeal filed by Raymond Vega to the U.S. Court of Appeals. ( Retained Counsel, Fee paid,) (Attachments: # <u>1</u> Docket Sheet, # <u>2</u> Preliminary Record)(evana, ) (Entered: 01/27/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 01/27/2016 | <u>84</u> | STIPULATION re <u>81</u> Proposed Bill of Costs by Defendant Blake R. Davis. (Padden, Amy) (Entered: 01/27/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 01/28/2016 | <u>85</u> | USCA Case Number 16-1028 for <u>82</u> Notice of Appeal filed by Raymond Vega. (evana, ) (Entered: 01/28/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 01/28/2016 | <u>86</u> | Costs Taxed in amount of \$ 1,728.66 against Plaintiff (evana, ) (Entered: 01/28/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 02/11/2016 | <u>87</u> | TRANSCRIPT ORDER FORM re <u>82</u> Notice of Appeal by Plaintiff Raymond Vega (Callahan, Veronica) (Entered: 02/11/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 02/23/2016 | <u>88</u> | REPORTER TRANSCRIPT ORDER FORM filed by Kathy Terasaki re: <u>82</u> Notice of Appeal. Transcript due by 4/25/2016. (nrch) (Entered: 02/23/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 02/29/2016 | <u>89</u> | TRANSCRIPT of Scheduling Conference held on July 12, 2013 before Matsch. Pages: 1-40. Prepared by: Federal Reporting Service, Inc.<br><b>NOTICE – REDACTION OF TRANSCRIPTS: Within seven calendar days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the party's intent to redact personal identifiers from the electronic transcript of the court proceeding. If a Notice of Intent to Redact is not filed within the allotted time, this transcript will be made electronically available after 90 days. Please see the Notice of Electronic Availability of Transcripts document at <a href="http://www.cod.uscourts.gov">www.cod.uscourts.gov</a>.</b><br>Transcript may only be viewed at the court public terminal or purchased through the Court Reporter/Transcriber prior to the 90 day deadline for electronic posting on PACER. (Federal Reporting Service, Inc., ) (Entered: 02/29/2016) |
| 03/14/2016 | 90        | LETTER TO USCA and all counsel certifying the record is complete as to <u>82</u> Notice of Appeal filed by Raymond Vega. All transcripts ordered are now on file as of 2/29/2016. ( Appeal No. 16-1028) Text Only Entry (evana, ) (Entered: 03/14/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 12/28/2016 | <u>91</u> | USCA Order and Judgment as to <u>82</u> Notice of Appeal filed by Raymond Vega : (USCA Case No. 16-1028) Because Plaintiffs complaint fails to state a plausible Eighth Amendment deliberate indifference claim, we AFFIRM the district courts order granting the Wardens motion to dismiss. (This document is not the Mandate) (Attachments: # <u>1</u> cover letter to Order and Judgment) (evana, ) (Entered: 12/28/2016)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 02/21/2017 | <u>92</u> | MANDATE of USCA as to <u>82</u> Notice of Appeal filed by Raymond Vega, <u>91</u> USCA Order/Judgment, : (USCA Case No. 16-1028) (evana, ) (Entered: 02/21/2017)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 03/16/2017 | <u>93</u> | SATISFACTION OF JUDGMENT <i>for Bill of Costs</i> by Defendant Blake R. Davis. (Froehlke, Elizabeth) (Entered: 03/16/2017)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |