

CIVIL DOCKET
UNITED STATES DISTRICT COURT

Jury demand date:

CLOSED CASE 12177

C. Form No. 106A Rev.

nj *Reopen* **CLOSED CASE -77.**

TITLE OF CASE	ATTORNEYS	CARD INDEX
SHREVEPORT UNITED STATES OF AMERICA by Nicholas deB. Katzenbach, Attorney General of the U.S. vs. BIENVILLE PARISH SCHOOL BOARD: J. H. FAIR, PRESIDENT: J. A. SHELBY, SUPERINTENDENT: RAYMOND H. MADDEN: D. H. WALKER: LAMAR P. WHITE: LOICE SCOTT: MRS. SALLIE W. LACY: JESSE HARVEY, MEMBERS	For plaintiff: Nicholas deB. Katzenbach, Atty Genl, Washington, D.C. John Doar, Asst. Atty. Genl. Washington Washington, D.C. Donald E. Walter P.O. Box 33, Shreveport, D. Robert Owen, Atty. for Dept of Justice, Washington, D.C. (See attached list of attorneys)	
<u>7-31-73 Mover to Intervene</u> XXXX JAMES CRAWLEY 8-20-86 Motion to Intervene RUBY MALONE, ROBERTA B. WALTERS, VIRGINIA WASHINGTON, MAGGIE HENRY, MATTIE MAE WATKINS, SANDRA MALONE, CAROLYN BRADFORD, EVA PEOPLES, LOYAL PEOPLES, CHARLES WILLIAMS, BETTY BLANKS, LYMON WILLIAMS, DAN WALTON, JESSIE MARTIN and CHARLIE KENNON (Black School Board Members)	<i>John C. Blake Glenn Fallon</i> Leon Whitten Dist Atty, Bienville Parish, Jonesville, La. 71251 P.O. Box 8 For defendant: S. H. Henderson XXXXXXX District Attorney, 416 7100 East Main St., Homer, La. and J. Bennett Johnston, Jr., 406 Lane Bldg., Shreve- port, La. <i>642 Stoner Ave.</i> <i>221-6290 71134-0426</i> For 7-31-73 Mover to Intervene: <i>2206 W. 5th Ave.</i> Stanley A. Halpin Jr. 906 Carondelet Bldg., LA FAYETTE, LA. 70504 New Orleans, La. PH 504-581-2688; and Paul H. Kidd & Stephen J. Katz, 709 S. 3rd St., Monroe, La. PH 325-3884 STEPHEN S. KATZ - 411 S. WASHINGTON ST Charles D. Jones 709 Jackson St. P. O. Box 3043 Monroe, La. 71210 71220	

STATISTICAL RECORD	COSTS	(318) DATE	325-2666 OR RECEIPT NO.	for Ruby Malone & 14 others
J.S. 5 mailed J.S. 6 mailed under T42 USC 2000c-6(a) & (b)-42 USC 2000c-6(a) and (b) and 28 USC 1345 Basis of Action for order enj. defts. from operation of dual school system based on race or color. Action arose at:	Clerk 7-25-66 \$15.00 Clk. Not App (PI) 8-2-68 5.00 USM(D) 4-17-67 74.76 Marshal 8-3-66 141.84 Docket fee from Witness fees Depositions			

DATE	PROCEEDINGS	Date Order Judgment N
1966	SHREVEPORT	
7-25-66	Original complaint with certificate of Attorney General, filed. Application for Order to show cause why preliminary injunction should not issue with ORDER thereon directing that each xxx Deft. appear in the Courtroom of the Federal District Court, Shreveport, Louisiana, at 9:30 A.M., on the 8th day of August, 1966 to show cause, if any, why a preliminary injunction should not issue enjoining depts. from operating and continuing to operate public schools of Bienville Parish on a segregated bi-racial basis, further ordering that the order for preliminary injunction and copy of the complaint be served on the depts. forthwith, signed and filed. (bcdjr)	
7-26-66	Notice and motion for preliminary injunction with proposed plan and brief in support thereof, filed.	
8-8-66	Original summons (8) issued, rule to show cause; copies for service and certified copies of complaint and attached documents, issued. Case x came on for trial, both sides announced ready. Answer to plaintiffs' complaint filed on behalf of Defts. Counsel for the Defts. stated that it was admitted that Bienville Parish operated a bi-racial school system and documentary evidence was offered by plaintiff. Whereupon a decree was signed and filed enjoining Defts. permanently from operating bi-racial school system, directing Defts. to submit plan of desegregation within 5 days & giving Pltf. 5 days thereafter to respond, & deferring desegregation of xxx teaching & administrative personnel until substantial progress has been made on desegregation of pupils. A Plan for desegregating Bienville Parish Schools was filed by Defts.; and Order On Plan for Desegregation which among other things requires Defts. to mail notices not later than 8-15-66 that Grades 1, 3, 5, 7, 9, 11, & 12 will be desegregated with 1966-67 School year; requires desegregation Grades x 2, 4, 6, 8, & 10 with 1967-68 school year; and enjoining Defts., etc. from interfering with orderly administration of said plan, was signed and filed. COUNSEL FOR Deft. waived formal service and a copy of the Decree and a Order on Plan for Desegregation was delivered to each attorney present. (BCDJR)	
8-3-66	Returns (8) on writs issued 7-26-66 filed: All 8 Defts. served 7-27-66.	
3-31-67	Counsel of record advised that Judge Dawkins, Jr. has set case for hearing at Shreveport, La. on 4-7-67 at 10:30 AM on whether a new order should be entered in the light of the decision by the 5th Circuit Court of Appeals rendered 3-29-67 in the cases of U.S.A. and Linda Stout, et al vs. Jefferson County Board of Education, et al.	
4-7-67	Case came on for hearing on motions for further relief and/or whether a new order should be entered in light of the decision of 3-29-67 by the 5th Circuit Court of Appeals in the cases of USA & Linda Stout, et al vs. Jefferson County Bd. of Education, et al, submitted and a decree was signed and filed in accordance with said decision. Copies thereof delivered to counsel for each side.	
4-7-67	Writs (8) of injunction with copies for service & attached copy of decree issued & del'd. to Marshal.	
4-17-67	Report, in letter form, filed by Bienville Parish School Board, pursuant to Court's order of 4-7-67.	
4-17-67	Returns (8) on writs issued 4-7-67 filed: Services made April 7 & 11, 1967.	
6-2-67	By direction of of Judge Dawkins, Jr. Clerk notified counsel for Defts. that Defts. may have until 6-30-67 in which to file report due 6-15-67.	
6-30-67	Report required by Court's order of 4-7-67 filed by Bienville Parish School Board. Copy thereof mailed to US Attorney.	
8-24-67	Defts. are xxxx given extension of time in which to file report required by the Court's order of 4-7-67 (the post opening of school report) to Sept. 20, 1967. (BCDJR)	
9-21-67	xxx Notice of entry given. Report required by Court's order of 4-7-67 filed by Deft. School Board. Copy thereof delivered by Clerk to US Attorney.	
10-20-67	Letter from Supt. of Deft. School Board supplementing 9-21-67 report. filed. Copy del'd. to	

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D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	D. Jud
1968	SHREVEPORT	
5-28-68	Counsel of record & School Board Supts. notified by Clerk that Judge Dawkins, Jr. has set this case for hearing at Shreveport, La. on 7-25-68 at 9:30 AM in view of the Supreme Court's decision rendered on 5-27-68.	
5-31-68	Report of Choice Forms for 1968-1969 School year filed by Bienville Parish School Board. Copy thereof delivered to US Attorney.	
7-11-68	Plaintiff's interrogatories propounded to defendants, filed.	
7-15-68	Motion by United States for Supplemental Relief, with notice of said motion, filed, with brief in support thereof, filed.	
7-23-68	Response, in letter form, to Court's Order of 5-28-68, which contains statements in support of "freedom of choice", filed, by Deft. School Board's Superintendent.	
7-25-68	It was ordered that Cases Nos. 10687, 11054, 11055, 11304, 11501, 12177, and 12589 be consolidated for the purpose of the hearing in view of the US Supreme Court's ruling of 5-27-68 re "freedom of choice" in Green County School Board. IT WAS ORDERED that the record be left open in all cases for 30 days to permit parties to file depositions and other competent evidence, after which the matters will be submitted & will be taken under advisement on briefs to be filed by all parties by October 4, 1968; and all parties are to submit proposed plans with briefs. In Case No. 12177, answer by Defts. to plaintiffs interrogatories was filed. Oral testimony was adduced & documentary evidence filed, plaintiff presented proposed order for new plan and it was ordered that the further relief matter be taken under advisement as heretofore provided. (BCDJR)	
8-2-68	Notice of Appeal from order of 7-25-68 and Designation of Record on Appeal filed by Pltf. Interv., US of America. Copy thereof mailed by Clerk to Mr. Henderson on 8-5-68.	
8-21-68	See No. 10687. Appellate Court order denying injunction pending appeal & for summary reversal, but giving certain specific instructions to District Courts, filed.	
8-28-68	Court Reporter's transcript of proceedings of 7-25-68, (1 Vol. 17 pages), filed.	
9/12/68	Letter to Judge Dawkins from Supt. Monroe City Schools & reply thereto by Judge Dawkins granting said school board extension of 25 days after opening of school in which to file required report, filed.	
10-1-68	Report Required by Court's order of 4-7-67, filed by Deft. School Board. Copy thereof delivered to US Attorney.	
10-1-68	Certified copy of Order of Court of Appeals remanding case to District Court for further proceedings in accordance with that Court's opinion of 8/26/68, filed.	
10-8-68	Order of Court outlining in detail subject matter to be covered at November 12, 1968, hearing entered by Judge Dawkins. Notice of entry given to counsel of record by mailing copy of letter quoting said order to them.	
10-28-68	Interrogatories propounded to Defts. by US of America, filed.	
10-31-68	Brief by US of America in support of motions for supplemental relief, filed.	
11-4-68	Answer by Deft. School Board to plaintiff's interrogatories, filed.	
11-4-68	Brief by Deft. School Board in re hearing set for 11-12-68, filed.	
11-12-68	ALEXANDRIA MINUTES--A pretrial conference was held in Chambers in all Western District of Louisiana School Board Cases. Said Cases came on for hearing on questions of zoning of attendance Districts and reassigning faculties and staffs. One witness was called on behalf of all defendants and ordered that evidence be closed subject to later filings heretofore provided for. Matter argued by counsel for private pltf. and defts., submitted and taken under advisement. (BCDJR, EFHJR & RJP)	

(OVER)

DATE	PROCEEDINGS	Date Ord Judgment
11-14-68	Per Curiam Decision by all 3 Judges of this District, holding among other things, that present desegregation plans are adequate to convert dual school system to a unitary system in which racial discrimination would be eliminated, that "Freedom of Choice" under Jefferson decree has reas prospects for dismantling dual system, but directing Deft. School Board to render a Report 3-1-69, with reasonable specificity that Board's plan for further faculty integration to carry out commands of 5th Circuit in Jefferson & Bessemer, and retaining jurisdiction so that further findings, if they are required, can be made by the Court after receipt of the 3-1-69 reports, filed. (BCDJR, EFHJR & RJP) For details see said decision. Copies of said decision mailed by Clerk to counsel of record shown on said decision.	
11-22-68	Court Reporter's transcript of proceedings of 11-12-68, filed.	
12-4-68	Pltfs' Bond for Costs on Appeal filed. (See No. 9981)	
12-19-68	See No. 9981. Notice of Appeal, filed.	
1-3-69	See No. 11130.	
1-6-69	See No. 9981. Transcript filed.	
1-20-69	See No. 9981.	
1-24-69	See No. 9981.	
3-3-69	Report XX required to be filed by 3-1-69 by Court's order of 11-14-69 filed by Deft. School Board.	
3-14-69	See No. 9981.	
6-2-69	Mandate of Court of Appeals Reversing & Remanding District Court 11-14-68 Judgment with attached opinion of that Court filed.	
6-5-69	En banc order of Court based on 5-28-69 Mandate of Court of Appeals requiring Defts., among other things, to develop and submit, in conjunction with Dept. of HEW new plan of desegregation in the manner set forth therein within 30 days from 6-5-69, filed. Copies thereof mailed by Clerk to counsel of record and Supts. of Deft. School Boards.	
6-11-69	Entire record returned from Court of Appeals.	
7-5-69	Desegregation Plan proposed by Dept. of HEW in accord with 6-5-69 order, filed.	
7-5-69	Deft. Board's Plan filed in accord with 6-5-69 order.	
7-5-69	EN BANC order of Court directing Deft. Board & HEW TO confer in depth to arrive at mutually acceptable plan & extending time for 16 days to finalize such plan and/or make XX reports thereon, filed. Notice of entry given by mailing copies to counsel XX of record, Supts. & HEW.	
7-8-69	Supplement to Court's order of 7-5-69, filed. Notice of entry given by mailing copies to Attys of Record, Supts. & HEW.	
7-11-69	Copy of Appellate Court order denying motion by School Board to recall & stay mandate pending filing & disposition of Pet. for Writ of Certiorari, filed.	
7-21-69	Agreed integration plan filed on behalf of Bienville Parish School Board and HEW HEW, filed, with Certificate of service, filed.	
7-25-69	Case came on for final hearing on desegregation plans, oral testimony adduced and documentary evidence filed on behalf of the Bienville Parish School Board until 7:25 P. M., and closed. Oral testimony adduced and documentary evidence filed on behalf of the plaintiff until 7:25 P. M., and closed. Oral evidence adduced and documentary evidence filed on behalf of the plaintiff until 7:55 P. M., and closed. The Court ordered that the plan submitted by the Bienville Parish School Board, be approved and directed counsel for defendants to prepare a proposed decree and suggested findings of fact and conclusions of law by next Wednesday. Counsel for the Government filed	

(SEE NEXT PAGE)

Closed

DATE	FILINGS-PROCEEDINGS	CLERK'S FEES		AMOI REPORT EMOLU RETU
		PLAINTIFF	DEFENDANT	
1969	SHREVEPORT			
7-25-69	Continued: a motion and proposed order for implementing the school desegregation plan filed by The United States Office of Education and Same was denied. (BCDJR)			
8-1-69	Findings of Fact, Conclusions of Law, and Decree by Judge Ben C. Dawkins, Jr. which incorporates therein New Desegregation Plan for Deft. School Board, filed. (BCDJR) (For details thereof see said Judgment) Notice of entry given by Clerk 8-1-69 by mailing copies of this entry to Mr. Walter & Mr. Henderson.			
8-6-69	See No. 9981. Motion & Order to send original record to US Supreme Court.			
9-10-69	Letter to Judge Dawkins, Jr. from counsel for Deft. School Board requesting that said Board be given an extra 10 day for preparation & filing of reports required by Court order within 15 days after opening of school; and Handwritten XXXX order of Judge Dawkins, Jr. granting said request, filed. (BCDJR) Notice of entry given by Clerk 9-11-69 by mailing copies of this entry to Messrs. Henderson, Walter, & Mitchell.			
9-19-69	Letter to Clerk from J. Bennett Johnson, Jr. with attached Report to Court for 1969-70 School Year filed in accord with Court's Decree of 7-25-69.			
5-8-70	Motion by Deft. School Board to Modify 7-25-69 decree with attached Exhibits and Brief in support thereof; and attached PROPOSED Findings of Fact, Conclusions of Law & Decree, Which was not signed by the Court, filed.			
5-8-70	Findings of Fact, Conclusions of Law and Decree in accord with 5-8-70 XXXX Motion to Modify, which modifies Court's 7-31-69 Order in the manner set forth therein, filed. Notice given by delivering and/or mailing copies of said Decree to Mr. J. Bennett Johnson, US Atty, & Atty. Gen.			
9-18-70	See No. 9981. "Objective Criteria" Order, re Dismissal or demotion filed.			
9-22-70	See No. 9981. Extension of time, i. e. 30 days from 9-18-70 xxxxxx re filing of Criteria, filed.			
10-8-70	(See No. 9981). Extension motion and order regarding Objective Criteria.			
11-25-70	Motion by U. S. of America for supplemental relief with attachment (Court of Appeals Order), notice of hearing on said motion, certificate of service; and order of Judge Dawkins, Jr. thereon requiring deft., School Boards to file with the Clerk of this Court on the dates specified therein, the reports described therein, which reports shall be in lieu of any reports previously ordered by this Court, filed. (BCDJR) Notice of entry given by Clerk to counsel for School Boards by mailing copies of this entry to Messrs. Louis H. Padgett, Jr., Jack Greenberg, A. P. Tureaud, J. Bennett Johnson, Jr., Thomas A. Self, George M. Strickler, Jr., Jesse N. Stone, Jr., John R. Pleasant and Edward S. Christenbury.			
12-22-70	Report required by 11-25-70 Court Order filed by Deft. School Board.			
3-17-71	Response by Deft. Board to Court's 9-18-70 order for "Objective Criteria", filed. (over)			

DATE 1971	SHREVEPORT	FILINGS-PROCEEDINGS	CLERK'S FEES		AMOUNT REPORTED IN EMOLUMENT RETURNS
			PLAINTIFF	DEFENDANT	
4-8-71		Report Required by 11-25-70 Order regarding racial composition of students, faculty & other Board employees, filed by Deft. School Board.			
4-29-70 7-30-71		See 10687. (US Response to Objective Criteria, etc., filed) Order of Judge Dawkins, Jr., submitted by counsel for Defts., directing that faculty assignments be in accord with provisions xxx set forth therein, that unitary transportation systems be instituted as set forth therein & directing that maintenance personell be paid on a basis other than race, filed. (BCDJR) Notice of entry given by mailing copies thereof to counsel of record.			
3-2-72		Report of the Bienville Parish School Board for period of October 15 through December 1, 1971, filed.			
4-25-72		Letter to Clerk from G.E. Rogers, Supt., Bienville Parish Schools, with attached report required by Court's 11-25-70 order, filed.			
7-31-73		Motion by James Crawley under Rule 24 of xxx FRCivP. for leave to intervene ind. & for class he represents; with attached brief in support of said motion, filed.			
7-31-73		Clerk this date pursuant to Office Memorandum dated 5-2-73, instructed by Judge Ben C. Dawkins, Jr. to make the following minute entry in this case: "On order from my doctor, because I suffer from high blood pressure, I HEREBY RECUSE MYSELF in this 'school-related case'. All counsel should be notified in this case they should apply to one of the other judges of this District, (i.e. Judges Hunter, Putnam or Scott, in the order of their seniority), for future action upon this school related matter. /s/ Ben C. Dawkins, Jr., Chief Judge". (BCDJR) Notice of entry given by Clerk 5-11-73 by mailing copies of this entry to Messrs. Walter, Pottinger, Whitten & Halpin.			
7-31-73		Clerk this date verbally instructed xxxxxxx by Judge Edwin F. Hunter, Jr. to assign this matter to Judge Nauman S. Scott. PURSUANT TO Judge Hunter's assignment of this case to Judge Scott, the CLERK THIS DATE has mailed to Judge Scott a carbon copy of Mr. Crawley's motion for leave to intervene, for such action thereon as he deems proper in the premises.			
8-6-73		Clerk by letter of 8-3-73 instructed by Judge Hunter to make the following minute entry in this case: "Judge Ben C. Dawkins, Jr. having recused himself in this case on 7-31-73, SAME IS HEREBY ASSIGNED TO Judge Nauman S. Scott for all future action.") (EFHJR) Notice of entry given by Clerk 8-6-73 by mailing copies of this entry to Messrs. Walter, Whitten & Halpin, & Judge Scott.			
8-19-81		ORDER that the Pres. of the Sch. Bd. and the Superintendent of Schools in the Parish of Bienville, and Principals of certain schools designated by the Court to the Superintendent certify to the Court that no out-of-parish students are attending their school system. (NSS) (om) NOE AO			
8-1-86		MOTION (Bienville Parish School Board) to modify decree, referred to TS. (bc)			
8-6-86		ORDER - On Aug. 1, 1986, the Bienville Parish School Board filed a motion to Modify decree in which it sought this Court's approval of the closure of the Shady grove Elementary School. The United States is hereby ordered to respond to the School Board's motion by no later than 8-14-86. (TS/bc) NOE 8-6-86.			
3-11-86		RESPONSE (P) to Ds'. motion to modify decree in the manner set forth therein. (bc)			
8-12-86		ME - The Bienville Parish School Board's motion to modify the decree is granted. (TS/bc) NOE 8-12-86.			
(see next sheet)					

111A
v. 1/75)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. _____
UNITED STATES OF AMERICA, etc.	BIENVILLE PARISH SCHOOL BOARD, et al	PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
1986		SHREVEPORT
8-20-86	bc	MOTION (Rubye Malone, Roberta B. Waters, Virginia Washington, Maggie Henry, Mattie Mae Watkins, Sandra Malone, Carolyn Bradford, Eva Peoples, Loyal Peoples, Charles Williams, Betty Blanks, Lymon Williams & Dan Walter and Jessie Martin and Charlie Kennonb (Black School Board Members) to intervene as plaintiffs. referred to TS. (bc) M
8-27-86	bc	PRECEDING MOTION noticed for 10-10-86. (bc)
9-16-86	bc	MOTION (D) for additional time to respond, referred to TS. (c)
9-18-86	bc	ORDER - that Bienville Parish School Board be granted an extension of time to 10-3-86, to respond to the motion to intervene as Pltfs. (TS/bc) NOE 9-19-86.
9-24-86		MOTION (P) for Extension of Time; REFERRED TO TS 9-25-86. (sjd)
10-1-86	bc	ORDER that the United States is directed to respond to the motion to intervene as Pltfs. by 10-6-86. (TS/bc) NOE 10-1-86.
10-1-86	bc	BRIEF (Ds.) in opposition to motion to intervene. (bc)
10-1-86	bc	OPPOSITION (Bienville Parish School Board) to intervene as Pltfs. (bc)
10-9-86	bc	RESPONSE (P) to motion to intervene as Ps. (bc)
11-25-86		PROPOSED ORDER & Petition of Intervention; REFUSAL letter to Bobby L. Culpepper returning "\$25.00 check" for the reason that a filing fee is not required for Petition of Intervention. (sjd)
12-8-86	bc	MEMORANDUM RULING - denying the motion filed 8-20-86 to intervene. (TS/bc) NOE 12-8-86.
12-8-86	bc	ORDER in accord with preceding Memorandum Ruling. (TS/bc) NOE 12-8-86.
12-8-86	bc	MEMORANDUM RULING - denying the motion filed 11-25-86 to intervene. (TS/bc)
12-8-86	bc	ORDER in accord with preceding Memorandum Ruling. (TS/bc) NOE 12-8-86.
11-25-86	bc	PROPOSED ORDER ALLOWING Kenneth D. Henderson, L. T. Malone, Max Mosley, Roosevelt Belton, Jimmy Malone, Mrs. Barbara Hudson, Mrs. Aline Hudson, David Malone, Sr., Mrs. Jacqueline Hill & Robert O. Thomas to intervene, referred to TS. (bc) (Returned unsigned, previously ruled on.)
11-25-86	bc	PROPOSED PET. OF INTVR. (Kenneth D. Henderson, L. T. Malone, Max Mosley, etc.)
6/4/2010		ALL FUTURE FILINGS WILL BE SUBMITTED ELECTRONICALLY THROUGH CM/ECF #66-12177