

MANDATE,CLOSED

**U.S. District Court
Southern District of Indiana (Indianapolis)
CIVIL DOCKET FOR CASE #: 1:13-cv-00811-RLY-DML**

LACY v. STATE OF INDIANA et al
Assigned to: Judge Richard L. Young
Referred to: Magistrate Judge Debra McVicker Lynch
Case in other court: 7th Circuit, 13-03173 – Mandate
7th Circuit, 17-03256 – Mandate
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 05/16/2013
Date Terminated: 09/28/2017
Jury Demand: Plaintiff
Nature of Suit: 555 Prisoner Petitions –
Prison Condition
Jurisdiction: Federal Question

Petitioner

DONALD LACY
184915
NEW CASTLE – CF
NEW CASTLE CORRECTIONAL
FACILITY – Inmate Mail/Parcels
1000 Van Nuys Road
NEW CASTLE, IN 47362

represented by **Andrea Lynn Ciobanu**
CIOBANU LAW, PC
8910 Purdue Road
Suite 240
Indianapolis, IN 46268
317-495-1090
Fax: 866-841-2071
Email: aciobanu@ciobanulaw.com
ATTORNEY TO BE NOTICED

Gwendolyn M. Beitz
INDIANA FEDERAL COMMUNITY
DEFENDERS
111 Monument Circle
Suite 3200
Indianapolis, IN 46204
317-383-3520
Fax: (317) 383-3525
Email: gwendolyn_beitz@fd.org
ATTORNEY TO BE NOTICED

Sara Varner
INDIANA FEDERAL COMMUNITY
DEFENDERS
111 Monument Circle
Suite 3200
Indianapolis, IN 46204
317-383-3520
Email: sara.varner@fd.org
ATTORNEY TO BE NOTICED

V.

Respondent

KEITH BUTTS
*in his official capacity as Warden of the
New Castle Correctional Facility*

represented by **Frances Hale Barrow**
DEPUTY ATTORNEY GENERAL
Indiana Government Center South
302 West Washington Street 5th Fl.
Indianapolis, IN 46204-2770
(317)233-0555
Fax: (317)232-7979
Email: frances.barrow@atg.in.gov
ATTORNEY TO BE NOTICED

Jonathan Paul Nagy
INDIANA ATTORNEY GENERAL
302 West Washington Street,
Indiana Government Center South
Fifth Floor

Indianapolis, IN 46204
 317-233-8296
 Fax: 317-232-7979
 Email: jonathan.nagy@atg.in.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/16/2013	<u>1</u>	COMPLAINT against CARI BREZMAN, KEITH BUTTS, JANICE DOWNS, INDIANA DEPARTMENT OF CORRECTION, WENDY KNIGHT, BRUCE LEMMON, CHERYL MOORE, MIKE PENCE, STATE OF INDIANA, filed by DONALD LACY. (No fee paid with this filing) (DJH) (Entered: 05/17/2013)
05/16/2013	<u>2</u>	MOTION for Leave to Proceed in forma pauperis filed by Plaintiff, DONALD LACY. (Attachments: # <u>1</u> certification of inmate trust account)(DJH) (Entered: 05/17/2013)
05/17/2013	<u>3</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (DJH) (Entered: 05/17/2013)
05/28/2013	<u>4</u>	ENTRY granting <u>2</u> Motion for Leave to Proceed in forma pauperis. Signed by Judge Richard L. Young on 5/28/2013. (PG) (Entered: 05/28/2013)
06/14/2013	<u>5</u>	CONSENT to Jurisdiction by US Magistrate Judge by DONALD LACY. (CBU) (Entered: 06/14/2013)
07/22/2013	<u>6</u>	NOTICE of Filing Petition for Temporary Restraining Order by DONALD LACY c/s. (MAC) (Additional attachment(s) added on 7/22/2013: # <u>1</u> Affidavit) (MAC). (Entered: 07/22/2013)
07/22/2013	<u>7</u>	MOTION for Temporary Restraining Order (Petition), c/s filed by Plaintiff DONALD LACY. (Attachments: # <u>1</u> Exhibits, # <u>2</u> Text of Proposed Order)(MAC) (Entered: 07/22/2013)
08/13/2013	<u>8</u>	ENTRY Dismissing Complaint and Directing Further Proceedings; denying as moot <u>7</u> Motion for TRO. The dismissal of the complaint will not at this time result in dismissal of the action. Lacy shall have through August 23, 2013, in which to show cause why Judgment consistent with this Entry should not issue. Signed by Judge Richard L. Young on 8/13/2013. (PG) (Entered: 08/13/2013)
08/23/2013	<u>9</u>	RETURN TO ORDER TO SHOW CAUSE, re <u>8</u> Order on Motion for TRO, filed by Plaintiff. (Attachments: # <u>1</u> Envelope)(PG) (Entered: 08/28/2013)
09/11/2013	<u>10</u>	ENTRY and Order Directing Dismissal of Action. Lacy has failed to state a claim that would entitle him to relief and this action is dismissed. Signed by Judge Richard L. Young on 9/11/2013.(PG) (Entered: 09/11/2013)
09/11/2013	<u>11</u>	JUDGMENT dismissing action. Signed by Judge Richard L. Young on 9/11/2013.(PG) (Entered: 09/11/2013)
10/01/2013	<u>12</u>	NOTICE OF APPEAL as to <u>10</u> Entry and Order Directing Dismissal of Action and <u>11</u> Judgment. (No fee paid with this filing) (Attachments: # <u>1</u> Envelope)(JLM) (Entered: 10/02/2013)
10/01/2013	<u>13</u>	DOCKETING STATEMENT by DONALD LACY re <u>12</u> Notice of Appeal. (Attachments: # <u>1</u> Envelope)(JLM) (Entered: 10/02/2013)
10/01/2013	<u>14</u>	MOTION for Leave to Appeal in forma pauperis, filed by Plaintiff DONALD LACY. (Attachments: # <u>1</u> Affidavit in Support of Motion to Proceed IFP, # <u>2</u> Envelope)(JLM) (Entered: 10/02/2013)
10/01/2013	<u>15</u>	DESIGNATION of Record on Appeal by DONALD LACY re <u>12</u> Notice of Appeal (Attachments: # <u>1</u> Docket Sheet, # <u>2</u> Envelope)(JLM) (Entered: 10/02/2013)
10/02/2013	<u>16</u>	SEVENTH CIRCUIT APPEAL INFORMATION SHEET re <u>12</u> Notice of Appeal – Instructions for Attorneys – Parties' Short Record, Instructions, and Designation of Record information attached. (copy mailed to plaintiff) (LBT) (Entered: 10/02/2013)

10/02/2013	<u>17</u>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>12</u> Notice of Appeal. – for Court of Appeals Use Only. (LBT) (Entered: 10/02/2013)
10/02/2013	<u>18</u>	USCA Case Number 13–3173 for <u>12</u> Notice of Appeal filed by DONALD LACY. (Attachments: # <u>1</u> PLRA Notice and Fee Order)(LBT) (Entered: 10/02/2013)
10/04/2013	<u>19</u>	ORDER denying <u>14</u> Motion for Leave to Appeal in forma pauperis. (c/m). Signed by Judge Richard L. Young on 10/4/2013. (TMD) (Entered: 10/04/2013)
11/13/2013	<u>20</u>	Certified and Transmitted Record on Appeal to US Court of Appeals re <u>12</u> Notice of Appeal (USCA #13–3173). (Attachments: # <u>1</u> Pleadings, # <u>2</u> Notice to Transmit Record on Appeal)(JLM) (Entered: 11/13/2013)
11/14/2013	<u>21</u>	Appeal Remark re <u>12</u> Notice of Appeal (USCA #13–3173): Long Record received and docketed by USCA. (LBT) (Entered: 11/14/2013)
11/22/2013	<u>22</u>	ORDER of USCA as to <u>12</u> Notice of Appeal filed by DONALD LACY (USCA #13–3173) – The following are before the Court: 1) Motion for Leave to File and Proceed on Appeal In Forma Pauperis, filed on 11/16/2013, by the pro se appellant. 2) Memorandum in Support of PLRA Motion for Leave to Proceed on Appeal in Forma Pauperis, filed on 11/6/2013, by the pro se appellant. This court has determined that the district court erred in its bad-faith determination. Accordingly, it is ORDERED that the motion for leave to proceed on appeal in forma pauperis is GRANTED. The district court is instructed to assess an initial partial filing fee for the appeal and to notify this court when the partial fee has been collected. (JLM) (Entered: 11/22/2013)
12/12/2013	<u>23</u>	ENTRY Regarding Initial Partial Filing Fee on Appeal – No initial partial filing fee is feasible at this time. (c/m and notice to USCA). Signed by Judge Richard L. Young on 12/12/2013.(TMD) (Entered: 12/12/2013)
05/29/2014	<u>24</u>	MANDATE of USCA as to <u>12</u> Notice of Appeal filed by DONALD LACY (USCA #13–3173) – The judgment of the District Court is VACATED, and the case is REMANDED with instructions. The above is in accordance with the decision of this court entered on this date. (LBT) (Entered: 05/29/2014)
06/02/2014	<u>25</u>	ENTRY Directing Further Proceedings – Clerk shall reopen action based on 5/29/14 mandate. Plaintiff shall have through 6/30/14 to notify court in writing regarding the content in paragraph II of this Entry.(cm). Signed by Judge Richard L. Young on 6/2/2014.(TMD) (Entered: 06/02/2014)
06/02/2014	<u>26</u>	NOTICE of Offer of Agreement, filed by Plaintiff DONALD LACY. (Attachments: # <u>1</u> Envelope) (NMT) (Entered: 06/03/2014)
06/02/2014	<u>27</u>	MOTION for Preliminary Injunction, filed by Plaintiff DONALD LACY. (Attachments: # <u>1</u> Envelope)(NMT) (Entered: 06/03/2014)
06/02/2014	<u>28</u>	BRIEF/MEMORANDUM in Support re <u>27</u> MOTION for Preliminary Injunction, filed by Plaintiff DONALD LACY. (Attachments: # <u>1</u> Envelope)(NMT) (Entered: 06/03/2014)
06/02/2014	<u>29</u>	MOTION to Appoint Counsel, filed by Plaintiff DONALD LACY. (NMT) (Entered: 06/04/2014)
06/20/2014	<u>30</u>	ORDER granting <u>29</u> Motion to Appoint Counsel. The Indiana Federal Community Defenders is appointed to represent the petitioner in this action pursuant to 18 U.S.C. § 3006A. Counsel shall have through June 26, 2014, in which to file an appearance. The clerk shall convert this action to one pursuant to 28 U.S.C. § 2254. The Nature of Suit Code shall be 530 and the Cause of Action shall be 28:2254. The petitioner shall be Donald Lacy and the Respondent shall be Keith Butts. Signed by Judge Richard L. Young on 6/20/2014. (c/m) (NRN) (Entered: 06/20/2014)
06/23/2014	<u>32</u>	MOTION for Leave to Proceed in forma pauperis, filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Inmate Account Information, # <u>2</u> Envelope)(NMT) (Entered: 06/25/2014)
06/23/2014	<u>33</u>	MOTION for Leave to Appeal in forma pauperis, filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Inmate Account Information, # <u>3</u> Envelope)(NMT) (Entered: 06/25/2014)

06/24/2014	<u>31</u>	ORDER TO SHOW CAUSE (Disciplinary) – Show cause deadline is 20 days of the date of this entry. Petitioner shall have 20 days after service of such answer in which to reply. Respondent shall have through 7/7/2014 to respond to Motion for Preliminary Injunction. (cm). Signed by Judge Richard L. Young on 6/24/2014. (TMD) (Additional attachment(s) added on 6/24/2014: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2) (TMD). (Entered: 06/24/2014)
06/26/2014	<u>34</u>	ORDER granting <u>32</u> and <u>33</u> Motions to Proceed in forma pauperis. (cm). Signed by Judge Richard L. Young on 6/26/2014. (TMD) Modified on 6/26/2014 (TMD). (Entered: 06/26/2014)
06/27/2014	<u>35</u>	NOTICE of Appearance by Sara J. Varner on behalf of Petitioner DONALD LACY. (Varner, Sara) (Entered: 06/27/2014)
07/03/2014	<u>36</u>	MOTION for Reconsideration re <u>31</u> Order to Show Cause (Disciplinary) <i>BRIEFING SCHEDULE</i> , filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Text of Proposed Order)(Varner, Sara) (Entered: 07/03/2014)
07/03/2014	<u>37</u>	ORDER granting <u>36</u> Motion for Reconsideration of Briefing Schedule. Petitioner's supplement to the Request for Preliminary Injunction is due by August 4, 2014, and a Status Report is due from the parties on the same date. (cm). Signed by Judge Richard L. Young on 7/3/2014. (TMD) (Entered: 07/03/2014)
07/08/2014	<u>38</u>	NOTICE of Appearance by Frances Hale Barrow on behalf of Respondent KEITH BUTTS. (Barrow, Frances) (Entered: 07/08/2014)
08/04/2014	<u>39</u>	MOTION <i>FOR BRIEFING SCHEDULE AND JOINT STATUS REPORT</i> , filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Text of Proposed Order)(Varner, Sara) (Entered: 08/04/2014)
08/04/2014	<u>40</u>	Supplemental MOTION for Preliminary Injunction, filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Exhibit A– Judgment, # <u>2</u> Exhibit B– Diagnostic and Classification Summary, # <u>3</u> Exhibit C– INSOMM Informed Consent, # <u>4</u> Exhibit D– Case No: 08–03–0057, # <u>5</u> Exhibit E– Executive Directive #06–30, # <u>6</u> Exhibit F– Case No: 08–05–0075, # <u>7</u> Exhibit G– Appeal of 08–03–57 & 08–05–75, # <u>8</u> Exhibit H– Case No: 11–05–0034, # <u>9</u> Exhibit I– Case No: 11–07–0068, # <u>10</u> Exhibit J– Case No: 11–10–0082, # <u>11</u> Exhibit K– Case No: 12–01–0177, # <u>12</u> Exhibit L– Case No: 12–04–162, # <u>13</u> Exhibit M– Case No: 12–07–0018, # <u>14</u> Exhibit N– Executive Directives #12–48 and #12–53, # <u>15</u> Exhibit O– Case No: 12–10–0154, # <u>16</u> Exhibit P– Case No: 13–05–0183, # <u>17</u> Exhibit Q– Parole Revocation Findings, # <u>18</u> Exhibit R– Case No: 14–06–0139, # <u>19</u> Exhibit S– INSOMM Informed Consent Form 49777)(Varner, Sara) (Entered: 08/04/2014)
08/06/2014	<u>41</u>	ORDER granting <u>39</u> Motion for Briefing Schedule. See entry for deadlines. (cm). Signed by Judge Richard L. Young on 8/6/2014. (TMD) (Entered: 08/06/2014)
08/14/2014	<u>42</u>	MOTION for Extension of Time to August 20, 2014 in which to <u>41</u> Order on Motion <i>Respond to Petitioner's Supplement to Motion for Preliminary Injunction</i> , filed by Respondent KEITH BUTTS. (Attachments: # <u>1</u> Text of Proposed Order)(Barrow, Frances) (Entered: 08/14/2014)
08/18/2014	<u>43</u>	ORDER granting respondent's <u>42</u> Motion for Extension of Time to 8/20/14 to file response to petitioner's supplement to motion for preliminary injunction. (cm). Signed by Judge Richard L. Young on 8/18/2014. (TMD) (Main Document 43 replaced on 8/18/2014) (TMD). (Entered: 08/18/2014)
08/18/2014	<u>44</u>	MOTION <i>FOR CLASS CERTIFICATION</i> , filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Exhibit A–Executive Directive #06–30, # <u>2</u> Exhibit B–Executive Directive #12–53, # <u>3</u> Exhibit C–INSOMM Informed Consent, # <u>4</u> Exhibit D–INSOMM Informed Consent, Form 49777)(Varner, Sara) (Entered: 08/18/2014)
08/19/2014	<u>45</u>	MOTION <i>for Temporary Suspension of Briefing Schedule and for Status Conference</i> , filed by Respondent KEITH BUTTS. (Attachments: # <u>1</u> Text of Proposed Order)(Barrow, Frances) (Entered: 08/19/2014)
08/25/2014	<u>46</u>	Order Setting Status Conference: This case is set for an status conference on September 15, 2014, at 10:00 a.m., with Magistrate Judge Debra McVicker Lynch, in Room 277, U.S. Courthouse, 46 East Ohio Street, Indianapolis, Indiana ***SEE

		ORDER FOR ADDITIONAL INFORMATION***. Signed by Magistrate Judge Debra McVicker Lynch on 8/25/2014.(DW) (Entered: 08/25/2014)
08/27/2014	<u>47</u>	ENTRY Suspending Briefing Schedule: The briefing schedule entered on August 6, 2014, (Dkt. 39) is suspended. Counsel should be prepared to discuss briefing of the motion for preliminary injunction and the motion for class certification at the status conference on September 15, 2014, at 10:00 a.m. Signed by Magistrate Judge Debra McVicker Lynch on 8/27/2014.(DW) (Entered: 08/28/2014)
09/12/2014	<u>48</u>	Supplemental MOTION <i>FOR CLASS CERTIFICATION</i> , filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Exhibit A-Indiana Sex Offender Management)(Varner, Sara) (Entered: 09/12/2014)
09/19/2014	<u>49</u>	MINUTE ENTRY and ORDER for proceedings held before Magistrate Judge Debra McVicker Lynch: Telephone Status Conference held on 9/15/2014. (Telephone Status Conference set for 9/22/2014 09:30 AM before Magistrate Judge Debra McVicker Lynch.). See Order for details. Signed by Magistrate Judge Debra McVicker Lynch. (PG) (Entered: 09/19/2014)
09/23/2014	<u>50</u>	MINUTE ENTRY and ORDER for proceedings held before Magistrate Judge Debra McVicker Lynch: Telephone Status Conference held on 9/22/2014. The plaintiffs' amended motion for preliminary injunction/motion for summary judgment is due November 3, 2014; the defendants' response is due 12/15/14; plaintiffs' reply is due January 9, 2015. The parties agree that (1) the other cases pending in this district asserting the same challenge should be consolidated, and plaintiff will file a motion to that effect; and (2) the hearing on the motion for preliminary injunction should be consolidated with the trial on the merits. (Telephone Status Conference set for 10/8/2014 03:00 PM before Magistrate Judge Debra McVicker Lynch.). Signed by Magistrate Judge Debra McVicker Lynch. (PG) (Entered: 09/24/2014)
10/08/2014	<u>51</u>	Unopposed MOTION <i>TO CONSOLIDATE</i> , filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Exhibit A-Petition Lawrence Greer-Bey, # <u>2</u> Exhibit B- Petition Frederick Holmes-Bey, # <u>3</u> Exhibit C- Petition Allan Kirkley, # <u>4</u> Exhibit D- Petition George Sanders, # <u>5</u> Exhibit E-Donald Wrobel)(Varner, Sara) (Entered: 10/08/2014)
10/09/2014	<u>52</u>	MINUTE ENTRY and ORDER for proceedings held before Magistrate Judge Debra McVicker Lynch: Telephone Status Conference held on 10/8/2014. The briefing schedule set out in the court's September 23, 2014 Order <u>50</u> is modified: that schedule now applies to the plaintiffs' amended motion for classcertification and amended motion for preliminary injunction. Counsel shall confer and file by October 20, 2014, a proposed case management plan. Signed by Magistrate Judge Debra McVicker Lynch. (PG) (Entered: 10/09/2014)
10/20/2014	<u>53</u>	MOTION for Extension of Time to <i>File Case Management Plan</i> , filed by Respondent KEITH BUTTS, Petitioner DONALD LACY. (Attachments: # <u>1</u> Text of Proposed Order)(Varner, Sara) (Entered: 10/20/2014)
10/22/2014	<u>54</u>	ORDER granting <u>53</u> Motion for Extension of Time. IT IS THEREFORE ORDERED that the current deadline in which to file a Case Management Plan is extended. The parties are to file a proposed case management plan within fifteen days after the court's ruling on the motion to consolidate (Dkt. 51). The court will not set another status conference in advance of that submission. Signed by Magistrate Judge Debra McVicker Lynch on 10/22/2014. (DW) (Entered: 10/22/2014)
10/23/2014	<u>55</u>	ORDER granting <u>51</u> unopposed motion to consolidate for all pretrial matters. Cases 1:14-cv-195-JMS-DKL, 1:14-cv-1150-WTL-DML, 1:14-cv-1149-SEB-TAB, 1:14-cv-896-RLY-DKL, and 1:14-cv-1536-WTL-DKL are consolidated into this matter. (cm). Signed by Judge Richard L. Young on 10/23/2014. (TMD) (Entered: 10/23/2014)
11/03/2014	<u>56</u>	Supplemental MOTION for Preliminary Injunction <i>Second Consolidated Supplement</i> . (Attachments: # <u>1</u> Exhibit T- IDOC Offender Data, # <u>2</u> Exhibit U- Case no. 13-11-0105, # <u>3</u> Exhibit V- case no. 14-01-0150, # <u>4</u> Exhibit W- case no. 14-04-0029, # <u>5</u> Exhibit X- case no. 14-06-0203, # <u>6</u> Exhibit Y- case no. 14-08-0251, # <u>7</u> Exhibit Z- IDOC Offender Data, # <u>8</u> Exhibit AA- case no. 14-01-0151, # <u>9</u> Exhibit AB- case no. 14-02-0035, # <u>10</u> Exhibit AC- case no. 14-04-0160, # <u>11</u> Exhibit AD- case no. 14-08-0232, # <u>12</u> Exhibit AE- IDOC

		Offender Data, # <u>13</u> Exhibit AF- case no. 14-05-0148, # <u>14</u> Exhibit AG- case no. 14-06-0067, # <u>15</u> Exhibit AH- case no. 14-09-0167, # <u>16</u> Exhibit AI- IDOC Offender Data, # <u>17</u> Exhibit AJ- case no. 14-02-0282, # <u>18</u> Exhibit AK- Court of Appeals Opinion 8-28-12, # <u>19</u> Exhibit AL- IDOC Offender Data, # <u>20</u> Exhibit AM- case no. 14-04-0004)(Varner, Sara) (Entered: 11/03/2014)
11/03/2014	<u>57</u>	Supplemental MOTION to Certify Class <i>Second Supplement</i> . (Varner, Sara) (Entered: 11/03/2014)
11/07/2014	<u>58</u>	<i>Joint</i> CASE MANAGEMENT PLAN TENDERED, filed by Petitioner DONALD LACY . (Varner, Sara) (Entered: 11/07/2014)
12/03/2014	<u>59</u>	ORDER: CASE MANAGEMENT PLAN APPROVED AS AMENDED. Dispositive motions due by 5/1/2015. Discovery due by 3/1/2015. Signed by Magistrate Judge Debra McVicker Lynch on 12/3/2014.(SWM) (Entered: 12/04/2014)
12/15/2014	<u>60</u>	RESPONSE in Opposition re <u>56</u> Supplemental MOTION for Preliminary Injunction <i>Second Consolidated Supplement</i> , <u>27</u> MOTION for Preliminary Injunction , filed by Respondent KEITH BUTTS. (Barrow, Frances) (Entered: 12/15/2014)
12/15/2014	<u>61</u>	DECLARATION of Adam H. Deming, Psy.D. re <u>60</u> Response in Opposition to Motion by KEITH BUTTS. (Attachments: # <u>1</u> Exhibit A-Informed Consent Form, # <u>2</u> Exhibit B-Questionnaire, # <u>3</u> Exhibit C-Orientation Workbook, # <u>4</u> Exhibit D-Normative Sexuality Workbook, # <u>5</u> Exhibit E-Low Risk Core Group Workbook, # <u>6</u> Exhibit F-Medium Risk core Group Workbook, # <u>7</u> Exhibit G-Phase II High Risk Treatment Workbook, # <u>8</u> Exhibit H-Arousal Management Workbook, # <u>9</u> Exhibit I-Active Empathy Workbook, # <u>10</u> Exhibit J-Attitudes Beliefs Behaviors Workbook, # <u>11</u> Exhibit K-Healthy Relationships Workbook, # <u>12</u> Exhibit L-Emotional Management Workbook)(Barrow, Frances) (Entered: 12/15/2014)
12/15/2014	<u>62</u>	DECLARATION of Cari N. Rezman, LSCW re <u>60</u> Response in Opposition to Motion by KEITH BUTTS. (Barrow, Frances) (Entered: 12/15/2014)
12/15/2014	<u>63</u>	NOTICE of Appearance by Laura Ann Turner on behalf of Respondent KEITH BUTTS. (Turner, Laura) (Entered: 12/15/2014)
12/15/2014	<u>64</u>	RESPONSE in Opposition re <u>44</u> MOTION FOR CLASS CERTIFICATION, <u>48</u> Supplemental MOTION FOR CLASS CERTIFICATION , filed by Respondent KEITH BUTTS, Defendant BRUCE LEMMON. (Turner, Laura) (Entered: 12/15/2014)
01/05/2015	<u>65</u>	MOTION for Extension of Time to February 9, 2015 to file reply to <u>56</u> Supplemental MOTION for Preliminary Injunction <i>Second Consolidated Supplement</i> , <u>57</u> Supplemental MOTION to Certify Class <i>Second Supplement</i> , filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Text of Proposed Order)(Varner, Sara) (Entered: 01/05/2015)
01/09/2015	<u>66</u>	ORDER granting <u>65</u> Motion for Extension of Time to File Reply to 2/9/2015 re <u>56</u> Supplemental MOTION for Preliminary Injunction <i>Second Consolidated Supplement</i> . Signed by Judge Richard L. Young on 1/9/2015. (TMD) (Main Document 66 replaced on 1/9/2015) (TMD). (Entered: 01/09/2015)
02/05/2015	<u>68</u>	MOTION for Extension of Time to March 9, 2015 to file reply to <u>56</u> Supplemental MOTION for Preliminary Injunction <i>Second Consolidated Supplement</i> , <u>57</u> Supplemental MOTION to Certify Class <i>Second Supplement</i> , filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Text of Proposed Order)(Varner, Sara) (Entered: 02/05/2015)
02/09/2015	<u>69</u>	ORDER granting <u>68</u> Motion for Extension of Time to 3/09/15 to File Reply <u>57</u> Supplemental MOTION to Certify Class <i>Second Supplement</i> , and <u>56</u> Supplemental MOTION for Preliminary Injunction <i>Second Consolidated Supplement</i> . Signed by Judge Richard L. Young on 2/9/2015. (TMD) (Entered: 02/09/2015)
03/06/2015	<u>70</u>	MOTION for Extension of Time to File Reply to April 20, 2015 re <u>56</u> Supplemental MOTION for Preliminary Injunction <i>Second Consolidated Supplement</i> , <u>57</u> Supplemental MOTION to Certify Class <i>Second Supplement</i> , filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Text of Proposed Order)(Varner, Sara) (Entered: 03/06/2015)

03/06/2015	<u>71</u>	REVISED CASE MANAGEMENT PLAN TENDERED, filed by Petitioner DONALD LACY . (Varner, Sara) (Entered: 03/06/2015)
03/13/2015	<u>72</u>	ORDER granting <u>70</u> Motion for Extension of Time to File Reply to 4/20/2015 re <u>57</u> Supplemental MOTION to Certify Class <i>Second Supplement</i> , <u>56</u> and Supplemental MOTION for Preliminary Injunction <i>Second Consolidated Supplement</i> . Signed by Judge Richard L. Young on 3/13/2015. (TMD) (Entered: 03/13/2015)
03/23/2015	<u>73</u>	ENTRY – Plaintiff's ex parte notice of discharge of attorney 67 is stricken. Signed by Judge Richard L. Young on 3/23/2015.(TMD) (Entered: 03/23/2015)
03/23/2015	<u>74</u>	ORDER denying as moot <u>40</u> Motion for Preliminary Injunction; denying as moot <u>44</u> Motion for class certification and denying as moot <u>27</u> Motion for Preliminary Injunction. Signed by Judge Richard L. Young on 3/23/2015. (TMD) (Entered: 03/23/2015)
04/01/2015	<u>75</u>	MOTION Requesting Status and Information filed by Petitioner DONALD LACY. (Attachments: # (1) Envelope)(TMB) Modified on 4/2/2015 (TMB). (Attachment 1 replaced on 4/2/2015) (TMB). (Entered: 04/02/2015)
04/08/2015	<u>76</u>	ORDER granting <u>75</u> Motion for information. Clerk shall include a copy of the docket sheet with this Entry. (cm). Signed by Judge Richard L. Young on 4/8/2015. (TMD) (Entered: 04/08/2015)
04/16/2015	<u>77</u>	Fourth MOTION for Extension of Time to File Reply to 5/18/15 re <u>56</u> Supplemental MOTION for Preliminary Injunction <i>Second Consolidated Supplement</i> , <u>57</u> Supplemental MOTION to Certify Class <i>Second Supplement</i> , filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Text of Proposed Order)(Varner, Sara) (Entered: 04/16/2015)
04/16/2015	<u>78</u>	<i>Second Revised</i> CASE MANAGEMENT PLAN TENDERED, filed by Petitioner DONALD LACY . (Varner, Sara) (Entered: 04/16/2015)
04/22/2015	<u>79</u>	ORDER granting <u>77</u> Motion for Extension of Time to File Reply to 5/18/2015 re <u>57</u> Supplemental MOTION to Certify Class <i>Second Supplement</i> , <u>56</u> Supplemental MOTION for Preliminary Injunction <i>Second Consolidated Supplement</i> .. Signed by Judge Richard L. Young on 4/22/2015. (TMD) (Entered: 04/22/2015)
04/27/2015	<u>80</u>	ORDER: CASE MANAGEMENT PLAN APPROVED (Second Revised CMP). Dispositive Motions due by 9/1/2015. Discovery due by 7/1/2015. Signed by Magistrate Judge Debra McVicker Lynch on 4/27/2015.(SWM) (Entered: 04/27/2015)
04/28/2015	<u>81</u>	MOTION to Withdraw Attorney Appearance of <i>Laura Turner</i> , filed by Respondent KEITH BUTTS. (Attachments: # <u>1</u> Text of Proposed Order)(Barrow, Frances) (Entered: 04/28/2015)
05/01/2015	<u>82</u>	ORDER granting <u>81</u> Motion to Withdraw Attorney Appearance. Attorney Laura Ann Turner withdrawn.. Signed by Magistrate Judge Debra McVicker Lynch on 5/1/2015. (DW) (Entered: 05/04/2015)
05/18/2015	<u>83</u>	REPLY in Support of Motion re <u>48</u> Supplemental MOTION <i>FOR CLASS CERTIFICATION</i> , <u>57</u> Supplemental MOTION to Certify Class <i>Second Supplement</i> , <u>44</u> MOTION <i>FOR CLASS CERTIFICATION</i> , filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Exhibit E, # <u>2</u> Exhibit F)(Varner, Sara) (Entered: 05/18/2015)
05/18/2015	<u>84</u>	REPLY in Support of Motion re <u>27</u> MOTION for Preliminary Injunction, <u>56</u> Supplemental MOTION for Preliminary Injunction <i>Second Consolidated Supplement</i> , <u>40</u> Supplemental MOTION for Preliminary Injunction , filed by Petitioner DONALD LACY. (Varner, Sara) (Entered: 05/18/2015)
05/20/2015	<u>85</u>	ORDER SETTING STATUS CONFERENCE. The court sets this case for a telephone status conference on June 10, 2015, at 1:00 p.m. Plaintiff's counsel and counsel for the defendants are to contact the court at 317.229.3630 to participate in the conference. Where multiple counsel representing a party are participating in the conference, those counsel should call in to the court on a single line. Signed by Magistrate Judge Debra McVicker Lynch on 5/20/2015. (BGT) (Entered: 05/20/2015)
06/10/2015	<u>86</u>	NOTICE of Appearance by Jonathan Paul Nagy on behalf of Respondent KEITH BUTTS. (Nagy, Jonathan) (Entered: 06/10/2015)

06/11/2015	<u>87</u>	MINUTE ORDER for proceedings held before Magistrate Judge Debra McVicker Lynch: Settlement Conference held on 6/10/2015. The conference was held and concluded without further order. Signed by Magistrate Judge Debra McVicker Lynch. (BAS) (Entered: 06/11/2015)
06/30/2015	<u>88</u>	****STRICKEN PER ORDER OF 7/9/2015**** <i>THIRD REVISED CASE MANAGEMENT PLAN</i> TENDERED, filed by Petitioner DONALD LACY . (Varner, Sara) Modified on 7/9/2015 (CBU). (Entered: 06/30/2015)
06/30/2015	<u>89</u>	<i>MOTION FOR IMMEDIATE RULING ON CLASS CERTIFICATION MOTION & REQUEST FOR ORAL ARGUMENT</i> , filed by Petitioner DONALD LACY. (Varner, Sara) (Entered: 06/30/2015)
07/09/2015	<u>90</u>	ORDER STRIKING re <u>88</u> Case Management Plan. The court acts on motions, not proposed orders. If the parties wish to amend the case management deadlines in this matter, they should properly move for such relief and state the grounds. Signed by Magistrate Judge Debra McVicker Lynch on 7/9/2015.(CBU) (Entered: 07/09/2015)
08/06/2015	<u>91</u>	<i>MOTION FOR EXTENSION OF DEADLINES & ACCEPTANCE OF REVISED CASE MANAGEMENT PLAN</i> , filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Third Revised Case Management Plan)(Varner, Sara) (Entered: 08/06/2015)
08/10/2015	<u>92</u>	NOTICE of Obstruction to Access to Counsel, filed by Petitioner DONALD LACY (by Non-Party James E. Manley) (Attachments: # <u>1</u> Exhibits, # <u>2</u> Envelope) (NRN) (Entered: 08/11/2015)
09/30/2015	<u>93</u>	ORDER granting <u>48</u> and <u>57</u> Supplemental Motions for Class Certification, denying as moot <u>56</u> Motion for Preliminary Injunction and granting <u>89</u> Motion for immediate ruling on class certification motion. Signed by Judge Richard L. Young on 9/30/2015. (TMD) (Entered: 09/30/2015)
01/06/2016	<u>94</u>	ORDER denying for the present, Petitioners <u>91</u> Motion for extension of deadlines. They shall have through 2/01/16 to file a consolidated motion for preliminary injunction. The parties shall meet and confer and file a proposed notice to potential class members consistent with Rule 23(C) by February 1, 2016. Signed by Judge Richard L. Young on 1/6/2016. (TMD) (Entered: 01/06/2016)
01/29/2016	<u>95</u>	NOTICE of Appearance by Gwendolyn M. Beitz on behalf of Petitioner DONALD LACY. (Beitz, Gwendolyn) (Entered: 01/29/2016)
01/29/2016	<u>96</u>	STATUS REPORT by DONALD LACY. (Varner, Sara) (Entered: 01/29/2016)
01/29/2016	<u>97</u>	<i>NOTICE OF PROPOSED NOTICE PLAN</i> , filed by Petitioner DONALD LACY, re <u>94</u> Order on Motion. (Attachments: # <u>1</u> Exhibit A-Notice Regarding Class Action) (Varner, Sara) (Entered: 01/29/2016)
01/29/2016	<u>98</u>	Joint <i>MOTION TO AMEND THE CASE MANAGEMENT PLAN</i> , filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Fourth Revised Case Management Plan, # <u>2</u> Text of Proposed Order)(Varner, Sara) (Entered: 01/29/2016)
02/05/2016	<u>99</u>	ORDER granting <u>98</u> Motion to amend case management plan. Parties <u>97</u> proposed notice plan is approved. Clerk to provide endorsed copy with this Entry (attached). Signed by Judge Richard L. Young on 2/5/2016. (Attachments: # <u>1</u> Notice plan) (TMD) (Entered: 02/05/2016)
02/29/2016	<u>100</u>	Witness List <i>Preliminary</i> , filed by Petitioner DONALD LACY, Exhibit List <i>Preliminary</i> , filed by Petitioner DONALD LACY. (Varner, Sara) Modified on 3/1/2016 (NRN). (Entered: 02/29/2016)
03/31/2016	<u>101</u>	Witness List (<i>Preliminary</i>), filed by Respondent KEITH BUTTS, Exhibit List (<i>Preliminary</i>), filed by Respondent KEITH BUTTS. (Nagy, Jonathan) (Entered: 03/31/2016)
05/02/2016	<u>102</u>	Expert Disclosure, filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Exhibit A-Luis Rossell CV)(Varner, Sara) Modified text on 5/3/2016 (TMB). (Entered: 05/02/2016)
05/23/2016	<u>103</u>	ENTRY Directing Further Proceedings – Class counsel shall have twenty-one days from the date of this Entry in which to review the habeas petitions listed in this Entry

		and report whether any or all of the petitioners in the habeas petitions are members of the class in this case as defined in the Entry of September 30, 2015. Class counsel shall also report at that time if there are any other pending habeas petitions in this court which should be part of the class. The respondent shall have fourteen days from the filing of class counsel's report in which to file a response, if any. For any petition which counsel contends is a part of the class, counsel shall appear on behalf of the petitioner, if she has not already appeared, and file a notice of dismissal of the individual petition in favor of the class. Signed by Judge Richard L. Young on 5/23/2016.(NRN) (Entered: 05/23/2016)
05/24/2016	<u>104</u>	MOTION for Extension of Time to July 15, 2016 , filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Text of Proposed Order)(Beitz, Gwendolyn) (Entered: 05/24/2016)
05/25/2016	<u>105</u>	ORDER granting <u>104</u> Motion for Extension of Time. The deadline to review and report whether any or all of the petitioners in the habeas petitions are members of the class in this case is extended to July 15, 2016. Signed by Judge Richard L. Young on 5/25/2016. (NRN) (Entered: 05/25/2016)
07/14/2016	<u>106</u>	MOTION for Extension of Time to <i>August 5, 2016</i> , filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Text of Proposed Order)(Varner, Sara) (Entered: 07/14/2016)
07/15/2016	<u>107</u>	Submission of Signature Requirement re <u>106</u> MOTION for Extension of Time to <i>August 5, 2016</i> by DONALD LACY. (Attachments: # <u>1</u> Text of Proposed Order)(Beitz, Gwendolyn) (Entered: 07/15/2016)
07/22/2016	<u>108</u>	ORDER granting <u>106</u> Motion for Extension of deadline to review and report that the deadline to review and report as to class membership of pending habeas actions, file appearances and move to dismiss individual petitions in favor of the class is extended to August 5, 2016. Signed by Judge Richard L. Young on 7/22/2016. (TMD) (Entered: 07/22/2016)
08/01/2016	<u>109</u>	Submission <i>FIFTH REVISED CASE MANAGMENT PLAN</i> , filed by Petitioner DONALD LACY. (Varner, Sara) (Entered: 08/01/2016)
08/01/2016	<u>110</u>	Joint MOTION TO AMEND THE CASE MANAGMENT PLAN, filed by Petitioner DONALD LACY. (Varner, Sara) (Entered: 08/01/2016)
08/05/2016	<u>111</u>	REPORT ON PENDING HABEAS PETITIONS by DONALD LACY. (Varner, Sara) (Entered: 08/05/2016)
08/15/2016	<u>112</u>	ENTRY – The joint motion to amend the case management plan <u>110</u> is granted. The Fifth Revised Case Management Plan is approved as submitted. Signed by Judge Richard L. Young on 8/15/2016. (JRB) (Entered: 08/15/2016)
09/13/2016	<u>113</u>	Entry Directing Further Proceedings – Counsel for the petitioner shall have through September 30, 2016, to provide an update of the status of the petitions identified in the Report filed on August 5, 2016. Signed by Judge Richard L. Young on 9/13/2016.(JRB) (Entered: 09/13/2016)
09/30/2016	<u>114</u>	MOTION for Extension of Time to Provide an Update to the Report on Pending Habeas Petitions , filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Text of Proposed Order)(Varner, Sara) Modified on 10/3/2016 (JRB). (Entered: 09/30/2016)
10/07/2016	<u>115</u>	ORDER granting <u>114</u> Motion for Extension of Time to Update the Status of the Petitions to 10/21/2016. No further extensions of time are anticipated. Signed by Judge Richard L. Young on 10/7/2016. (JRB) (Entered: 10/07/2016)
01/31/2017	<u>116</u>	<i>Sixth Revised</i> CASE MANAGEMENT PLAN TENDERED, filed by Petitioner DONALD LACY . (Varner, Sara) (Entered: 01/31/2017)
03/31/2017	<u>117</u>	REPORT of <i>Luis Rosell, Psy.D.</i> by DONALD LACY. (Attachments: # <u>1</u> Expert Report of Luis Rosell, Psy.D.)(Varner, Sara) (Entered: 03/31/2017)
04/10/2017	<u>118</u>	Entry Setting Hearing – The parties' Sixth Revised Case Management Plan is approved as submitted. In that filing, the parties request a hearing in August of 2017. Accordingly, this matter is set for a hearing on AUGUST 24, 2017, at 2:00 p.m. in Courtroom 349, United States Courthouse, 46 East Ohio Street, Indianapolis, IN

		46204. The parties shall file witness and exhibit lists and prehearing briefs as contemplated in the Sixth Revised Case Management Plan. Signed by Judge Richard L. Young on 4/10/2017.(JRB) (Entered: 04/10/2017)
05/08/2017	<u>119</u>	Correspondence REQUESTING COPY of Case Docket Sheet, filed by Cleverly Lockhart. Copy/Copies provided via US Mail. (Attachments: # <u>1</u> Envelope) (JRB) (Entered: 05/08/2017)
05/17/2017	<u>120</u>	Joint MOTION for Continuance <i>and Motion for Entry of Dispositive Motions Briefing Schedule</i> , filed by Respondent KEITH BUTTS. (Attachments: # <u>1</u> Text of Proposed Order Granting Motion for Continuance and for Entry of Dispositive Motions Briefing Schedule)(Nagy, Jonathan) (Entered: 05/17/2017)
06/12/2017	<u>121</u>	Entry – The parties' Joint Motion for Continuance, <u>120</u> is granted in part and denied in part consistent with the following: The hearing set for August 24, 2017, is vacated and the action shall proceed in accordance with the following schedule. Discovery shall be completed by June 19, 2017. Petitioner shall file a supplement to the petition for a writ of habeas corpus by July 10, 2017. Respondent's response to the supplement must be filed no later than 45 days after the filing of the petitioner's summary judgment motion, and in any event no later than August 24, 2017. Petitioner's reply in support of the habeas petition must be filed no later than 15 days after the filing of the response, and in any event, no later than September 8, 2017. If the respondent believes a surreply is necessary, it shall be filed by September 15, 2017. Signed by Judge Richard L. Young on 6/12/2017.(JRB) (Entered: 06/12/2017)
07/10/2017	<u>122</u>	AMENDED COMPLAINT <i>under 28 U.S.C. 2254</i> against KEITH BUTTS, filed by DONALD LACY.(Varner, Sara) (Entered: 07/10/2017)
07/10/2017	<u>123</u>	First MOTION for Summary Judgment , filed by Petitioner DONALD LACY. (Varner, Sara) (Entered: 07/10/2017)
07/10/2017	<u>124</u>	Designation of Evidence re <u>123</u> First MOTION for Summary Judgment , filed by Petitioner DONALD LACY. (Varner, Sara) (Entered: 07/10/2017)
07/10/2017	<u>125</u>	BRIEF/MEMORANDUM in Support re <u>123</u> First MOTION for Summary Judgment , filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Exhibit A– Deming Declaration, # <u>2</u> Exhibit B– Petitioners' Indiana Case Summaries, # <u>3</u> Exhibit C– IDOC Executive Directive #15–13, # <u>4</u> Exhibit D– INSOMM Program Participation Notification, # <u>5</u> Exhibit E– IDOC Disciplinary Code for Adult Offenders, Appendix I, # <u>6</u> Exhibit F– IDOC Disciplinary Code for Adult Offenders, # <u>7</u> Exhibit G– INSOMM Request for Temporary Exemption, # <u>8</u> SEALED Exhibit H– Donald Lacy INSOMM Conduct File & Treatment Notes, # <u>9</u> SEALED Exhibit I– George Sanders INSOMM Treatment Notes Excerpt, # <u>10</u> Exhibit J– INSOMM Informed Consent, # <u>11</u> Exhibit K– INSOMM Sex Offender Participation Agreement, # <u>12</u> Exhibit L– INSOMM Sex Offender Questionnaire, # <u>13</u> Exhibit M– INSOMM Orientation Workbook, # <u>14</u> Exhibit N– INSOMM Low Risk Core Workbook, # <u>15</u> Exhibit O– INSOMM Medium Risk Core Workbook, # <u>16</u> Exhibit P– INSOMM High Risk Core Workbook, # <u>17</u> SEALED Exhibit Q– Michael Parker Conduct Report & Offender Complaint, # <u>18</u> SEALED Exhibit R– Richard Dobeski Polygraph Report, # <u>19</u> SEALED Exhibit S– Quinton Bonner Polygraph Report, # <u>20</u> SEALED Exhibit T– Lionel May Polygraph Report, # <u>21</u> SEALED Exhibit U– Donald Wrobel Polygraph & Disciplinary Action, # <u>22</u> SEALED Exhibit V– Lawrence Greer–Bey INSOMM Conduct Report & Treatment Notes, # <u>23</u> Exhibit W– Lewis Exemption, # <u>24</u> Exhibit X– Respondent's Discovery Response Excerpt, # <u>25</u> Exhibit Y– Donald Lacy Indiana Offender Data, # <u>26</u> Exhibit Z– Lawrence Greer–Bey Indiana Offender Data, # <u>27</u> Exhibit AA– Frederick Holmes–Bey Indiana Offender Data, # <u>28</u> SEALED Exhibit AB– Frederick Holmes–Bey INSOMM Conduct File & Treatment Notes, # <u>29</u> Exhibit AC– Allan Kirkley Indiana Offender Data, # <u>30</u> SEALED Exhibit AD– Allan Kirkley INSOMM Conduct File & Treatment Notes, # <u>31</u> Exhibit AE– Offender Orientation Form, # <u>32</u> Exhibit AF– INSOMM Polygraph Sex History Questionnaire, # <u>33</u> SEALED Exhibit AG– Larry Smith Polygraph Report)(Varner, Sara) Modified on 7/18/2017 (TMD). (Entered: 07/10/2017)
07/10/2017	<u>126</u>	MOTION to Maintain Document Under Seal <u>127</u> Brief/Memorandum in Support, <u>123</u> First MOTION for Summary Judgment , filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Text of Proposed Order)(Varner, Sara) Modified on 7/11/2017 (JRB). (Entered: 07/10/2017)

07/10/2017	<u>127</u>	SEALED <i>Exhibits</i> , re <u>125</u> Brief/Memorandum in Support, filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Exhibit H- Donald Lacy INSOMM Conduct File & Treatment Notes, # <u>2</u> Exhibit I- George Sanders INSOMM Treatment Notes Excerpt, # <u>3</u> Exhibit Q- Michael Parker Conduct Report & Offender Complaint, # <u>4</u> Exhibit R- Richard Dobeski Polygraph Report, # <u>5</u> Exhibit S- Quinton Bonner Polygraph Report, # <u>6</u> Exhibit T- Lionel May Polygraph Report, # <u>7</u> Exhibit U- Donald Wrobel Polygraph & Disciplinary Action, # <u>8</u> Exhibit V- Lawrence Greer-Bey INSOMM Conduct File & Treatment Notes, # <u>9</u> Exhibit AB- Frederick Holmes-Bey INSOMM Conduct File & Treatment Notes, # <u>10</u> Exhibit AD- Allan Kirkley INSOMM Conduct File & Treatment Notes, # <u>11</u> Exhibit AG- Larry Smith Polygraph Report)(Varner, Sara) (Entered: 07/10/2017)
07/18/2017	<u>128</u>	ORDER granting <u>126</u> Motion to Seal Exhibits to Petitioners' <u>123</u> First MOTION for Summary Judgment and <u>125</u> Brief/Memorandum in Support. Signed by Judge Richard L. Young on 7/18/2017. (TMD) (Entered: 07/18/2017)
08/21/2017	<u>129</u>	*** PLEASE DISREGARD. REFILED AT <u>130</u> *** Unopposed MOTION for Extension of Time to File Response to August 31, 2017 re <u>123</u> First MOTION for Summary Judgment <i>and to File His Cross-Motion for Summary Judgment</i> , filed by Respondent KEITH BUTTS. (Nagy, Jonathan) Modified on 8/22/2017 (JRB). Modified on 10/26/2017 (TMD). (Entered: 08/21/2017)
08/21/2017	<u>130</u>	Unopposed MOTION for Extension of Time to File Response to August 31, 2017 re <u>123</u> First MOTION for Summary Judgment <i>and Cross-Motion for Summary Judgment</i> , filed by Respondent KEITH BUTTS. (Attachments: # <u>1</u> Text of Proposed Order Granting Defendants' Motion for Extension of Time)(Nagy, Jonathan) (Entered: 08/21/2017)
08/22/2017	<u>131</u>	ORDER granting <u>130</u> Motion for Extension of Time to File Response to <u>123</u> First MOTION for Summary Judgment up to and including 8/31/17 - Petitioners shall have up 15 days after the filing of the response, and in any event, no later than September 15, 2017 to file their reply in support of the habeas petition. NO FURTHER EXTENSIONS OF TIME ARE ANTICIPATED. IT IS FURTHER ORDERED that if the respondent believes a sur-reply is necessary, it shall be filed by September 15, 2017. Copy sent to Petitioner via US Mail. Signed by Judge Richard L. Young on 8/22/2017. (JRB) (Entered: 08/22/2017)
08/31/2017	<u>132</u>	Cross MOTION for Summary Judgment <i>and Response in Opposition to Petitioner's Motion for Summary Judgment</i> , filed by Respondent KEITH BUTTS. (Nagy, Jonathan) (Entered: 08/31/2017)
09/12/2017	<u>133</u>	Correspondence REQUESTING COPY of Case Docket Sheet, filed by Cleverly Lockhart. Copy/Copies provided via US Mail. (Attachments: # <u>1</u> Envelope) (JRB) (Entered: 09/12/2017)
09/15/2017	<u>134</u>	REPLY in Support of Motion re <u>123</u> First MOTION for Summary Judgment <i>and Response in Opposition re 132 Cross Motion for Summary Judgment</i> , filed by Petitioner DONALD LACY. (Varner, Sara) (Entered: 09/15/2017)
09/28/2017	<u>135</u>	Entry Discussing Petition for a Writ of Habeas Corpus - The class petition for a writ of habeas corpus is therefore granted. The petitioners' motion for summary judgment, <u>123</u> , is granted and the cross-motion for summary judgment, <u>132</u> , is denied. The disciplinary actions and sanctions for failing to participate in the SOMM program must be vacated. SEE ORDER. Signed by Judge Richard L. Young on 9/28/2017. (JRB) (Entered: 09/28/2017)
09/28/2017	<u>136</u>	JUDGMENT GRANTING PETITION FOR WRIT OF HABEAS CORPUS - The petition for writ of habeas corpus of the petitioner-class is granted; and the disciplinary proceedings and sanctions of any member of the petitioner-class based on their refusal to participate in the Indiana Department of Correction SOMM program shall be forthwith vacated and a new projected release date established for such person. Signed by Judge Richard L. Young on 9/28/2017.(JRB) (Main Document 136 replaced on 10/30/2017) (MAT). (Entered: 09/28/2017)
10/03/2017	<u>137</u>	Emergency MOTION to Stay <i>Proceedings Pending Appeal</i> , filed by Respondent KEITH BUTTS. (Attachments: # <u>1</u> Text of Proposed Order Granting Emergency Motion to Stay Proceedings Pending Appeal)(Nagy, Jonathan) (Entered: 10/03/2017)

10/11/2017	<u>138</u>	Submission of Letter from James Manley Regarding Claims. (Attachments: # <u>1</u> Envelope)(APD) (Entered: 10/12/2017)
10/17/2017	<u>139</u>	RESPONSE in Opposition re <u>137</u> Emergency MOTION to Stay <i>Proceedings Pending Appeal</i> , filed by Petitioner DONALD LACY. (Varner, Sara) (Entered: 10/17/2017)
10/30/2017	<u>140</u>	ORDER denying <u>137</u> Motion to Stay Pending Appeal – SEE ORDER. Signed by Judge Richard L. Young on 10/30/2017. (JRB) (Entered: 10/30/2017)
10/30/2017	<u>141</u>	NOTICE OF APPEAL as to <u>135</u> Entry, <u>136</u> Closed Judgment, filed by Respondent KEITH BUTTS. (Filing fee \$505, receipt number 0756-4606161) (Nagy, Jonathan) Modified on 10/30/2017 to add link to additional document (MAT). (Entered: 10/30/2017)
10/30/2017	<u>142</u>	DOCKETING STATEMENT by KEITH BUTTS re <u>141</u> Notice of Appeal (Nagy, Jonathan) (Entered: 10/30/2017)
10/30/2017	<u>143</u>	SEVENTH CIRCUIT TRANSCRIPT INFORMATION SHEET by KEITH BUTTS re <u>141</u> Notice of Appeal (Nagy, Jonathan) (Entered: 10/30/2017)
10/30/2017	<u>144</u>	PARTIES' SHORT RECORD re <u>141</u> Notice of Appeal – Instructions for Attorneys and Designation of Record information attached. (MAT) (Entered: 10/30/2017)
10/30/2017	<u>145</u>	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re <u>141</u> Notice of Appeal. – for Court of Appeals Use Only. (MAT) (Entered: 10/30/2017)
10/31/2017	<u>146</u>	USCA Case Number 17-3256 for <u>141</u> Notice of Appeal filed by KEITH BUTTS. (MAT) (Entered: 10/31/2017)
11/13/2017	<u>147</u>	DESIGNATION of Record on Appeal by KEITH BUTTS re <u>141</u> Notice of Appeal (Attachments: # <u>1</u> Exhibit Docket Sheet)(Nagy, Jonathan) (Entered: 11/13/2017)
11/16/2017	<u>148</u>	Letter to Court from Brian Andert. (Attachments: # <u>1</u> Envelope) (JRB) (Entered: 11/16/2017)
12/15/2017	<u>149</u>	Letter to Court containing Affidavit and Exhibits from Johnnie Lee Gipson. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Envelope) (APD) (Entered: 12/18/2017)
12/26/2017	<u>150</u>	MOTION for Court to order relief filed by Johnnie Lee Gipson. (Attachments: # <u>1</u> Envelope)(CBU) (Entered: 12/27/2017)
01/16/2018	<u>151</u>	AFFIDAVIT of Johnnie Lee Gipson. (Attachments: # <u>1</u> Envelope)(JRB) (Entered: 01/19/2018)
02/16/2018	<u>152</u>	MOTION for Status of Ruling filed by Johnnie Lee Gipson. (JRB) (Entered: 02/22/2018)
03/07/2018	<u>153</u>	ORDER terminating <u>150</u> Motion for Court Order and <u>152</u> Motion for Status – If Gipson wishes to challenge disciplinary action taken against him, he should file a petition for a writ of habeas corpus. SEE ORDER. Copy sent to party via US Mail. Signed by Judge Richard L. Young on 3/7/2018. (JRB) (Entered: 03/07/2018)
08/16/2018	<u>154</u>	MOTION for Summary Judgment, filed by Petitioner DONALD LACY. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Envelope)(JRB) (Entered: 08/20/2018)
08/16/2018	<u>155</u>	AFFIDAVIT of Mark A Cade by DONALD LACY. (Attachments: # <u>1</u> Envelope)(JRB) (Entered: 08/20/2018)
08/21/2018	<u>156</u>	ENTRY – The motion for summary judgment, <u>154</u> , is terminated. If Cade wishes to challenge disciplinary action taken against him, he should contact class counsel or file a petition for a writ of habeas corpus. SEE ORDER. Copy sent to Petitioner via US Mail. Signed by Judge Richard L. Young on 8/21/2018. (JRB) (Entered: 08/21/2018)
05/17/2019	<u>157</u>	MANDATE of USCA as to <u>141</u> Notice of Appeal filed by KEITH BUTTS (USCA #17-3256) – The judgment of the District Court is AFFIRMED, with costs, in accordance with the decision of this court entered on this date. (LBT) (Entered: 05/17/2019)
06/24/2019	<u>158</u>	NOTICE of Appearance on behalf of Plaintiff DONALD LACY. (Ciobanu, Andrea) Modified on 6/25/2019 (JRB). (Entered: 06/24/2019)

01/08/2020	<u>159</u>	STATUS REPORT <i>and Request for Telephonic Status Conference</i> by All Plaintiffs. (Attachments: # <u>1</u> Text of Proposed Order Setting Telephonic Status Conference)(Ciobanu, Andrea) Modified on 1/9/2020 (JRB). (Entered: 01/08/2020)
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