

STAY,CLOSED,LRA

**U.S. District Court
Southern District of Mississippi (Northern (Jackson))
CIVIL DOCKET FOR CASE #: 3:16-cv-00350-CWR-LRA**

Alford et al v. Moulder
Assigned to: District Judge Carlton W. Reeves
Referred to: Magistrate Judge Linda R. Anderson
Related Case: 3:16-cv-00417-CWR-LRA
Cause: 42:1983 Civil Rights Act

Date Filed: 05/09/2016
Date Terminated: 09/26/2018
Jury Demand: None
Nature of Suit: 950 Constitutional – State
Statute
Jurisdiction: Federal Question

Plaintiff

Nykolus Alford

represented by **Oliver E. Diaz , Jr.**
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Plaintiff

Stephen Thomas

represented by **Oliver E. Diaz , Jr.**
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Joshua F. Tom
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Paloma Wu
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TERMINATED: 12/19/2017
PRO HAC VICE
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Plaintiff

ACLU of Mississippi

represented by **Leslie Cooper – PHV**
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Paloma Wu
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TERMINATED: 12/19/2017
PRO HAC VICE
ATTORNEY TO BE NOTICED

V.

Defendant

Judy Moulder
in her Official Capacity as Mississippi
State Registrar of Vital Records

represented by **Douglas T. Miracle–State Gov**
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Date Filed	#	Docket Text
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05/09/2016	<u>1</u>	COMPLAINT against Judy Moulder (Filing fee \$ 400 receipt number 34643039221), filed by Nykolas Alford, Stephen Thomas, ACLU of Mississippi. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Declaration of Stephen Thomas, # <u>3</u> Declaration of Nykolas Alford, # <u>4</u> Declaration of Jennifer Riley Collins).(TLC) (Entered: 05/09/2016)
05/09/2016	<u>2</u>	MOTION for Preliminary Injunction by ACLU of Mississippi, Nykolas Alford, Stephen Thomas. (TLC) (Entered: 05/09/2016)
05/09/2016	<u>3</u>	Corporate Disclosure Statement by ACLU of Mississippi. (TLC) (Entered: 05/09/2016)
05/10/2016	<u>4</u>	Summons Issued as to Judy Moulder. (TLC) (Entered: 05/10/2016)
05/10/2016	<u>5</u>	MEMORANDUM in Support for <u>2</u> Preliminary Injunction <i>memorandum</i> by ACLU of Mississippi (Diaz, Oliver) (Entered: 05/10/2016)
05/11/2016	<u>6</u>	AFFIDAVIT of Service for Summons <i>Judy Moulder, in her official capacity</i> , served on Michael Lanford on 5/10/16, filed by ACLU of Mississippi, Nykolas Alford, Stephen Thomas. (Diaz, Oliver) (Entered: 05/11/2016)
05/11/2016		DOCKET ANNOTATION as to # <u>6</u> Incorrect event chosen. This document should have been docketed as Summons Returned Executed. A return on summons should not be filed without the first page, as issued, preceding the return. Attorney is directed to refile. (TLC) (Entered: 05/11/2016)
05/13/2016	<u>7</u>	SUMMONS Returned Executed by Stephen Thomas All Defendants. (Diaz, Oliver) (Entered: 05/13/2016)
05/13/2016		Pro Hac Vice fee paid by (Joshua A. Block and Paloma Wu) \$ 200, receipt number 34643039347. (TLC) (Entered: 05/13/2016)
05/13/2016	<u>8</u>	***ERROR – DISREGARD THIS ENTRY *** MOTION for Joshua A. Block to Appear Pro Hac Vice by ACLU of Mississippi (Diaz, Oliver) Modified on 5/16/2016 (TLC). (Entered: 05/13/2016)
05/13/2016	<u>9</u>	***ERROR – DISREGARD THIS ENTRY *** MOTION for Paloma Wu to Appear Pro Hac Vice by ACLU of Mississippi (Diaz, Oliver) Modified on 5/16/2016 (TLC). (Entered: 05/13/2016)
05/16/2016		DOCKET ANNOTATION as to # <u>8</u> <u>9</u> : : PDF attached to this entry is illegible/corrupted. Attorney is advised to correct the error by refileing the document. (TLC) (Entered: 05/16/2016)
05/16/2016	<u>10</u>	MOTION for Joshua A. Block to Appear Pro Hac Vice by ACLU of Mississippi (Diaz, Oliver) (Entered: 05/16/2016)
05/16/2016	<u>11</u>	MOTION for Paloma Wu to Appear Pro Hac Vice by ACLU of Mississippi (Diaz, Oliver) (Entered: 05/16/2016)
05/24/2016	<u>12</u>	NOTICE of Appearance by Douglas T. Miracle – State Gov on behalf of Judy Moulder (Miracle – State Gov, Douglas) (Entered: 05/24/2016)
05/24/2016	<u>13</u>	ANSWER to <u>1</u> Complaint, by Judy Moulder.(Miracle – State Gov, Douglas) (Entered: 05/24/2016)
05/24/2016	<u>14</u>	Response in Opposition re <u>2</u> MOTION for Preliminary Injunction by ACLU of Mississippi, Nykolas Alford, Stephen Thomas. (TLC) filed by Judy Moulder (Miracle – State Gov, Douglas) (Entered: 05/24/2016)
05/24/2016	<u>15</u>	MEMORANDUM in Opposition re <u>2</u> MOTION for Preliminary Injunction filed by Judy Moulder (Miracle – State Gov, Douglas) (Entered: 05/24/2016)
05/25/2016		TEXT-ONLY ORDER granting <u>10</u> Motion to Appear Pro Hac Vice; granting <u>11</u> Motion to Appear Pro Hac Vice. That Joshua A. Block and Paloma Wu be admitted pro hac vice in this case on behalf of the plaintiffs in association with local counsel and upon registration for electronic filing as required by the Court. No further written order shall issue from the Court. Signed by Magistrate Judge F. Keith Ball on 5/25/2016. (JEJ) (Entered: 05/25/2016)

05/27/2016	<u>16</u>	NOTICE of Appearance by Joshua Block – PHV on behalf of All Plaintiffs (Block – PHV, Joshua) (Entered: 05/27/2016)
05/31/2016	<u>17</u>	REPLY to Response to Motion re <u>2</u> MOTION for Preliminary Injunction filed by ACLU of Mississippi, Nykolas Alford, Stephen Thomas (Block – PHV, Joshua) (Entered: 05/31/2016)
06/06/2016	<u>18</u>	MOTION for Leslie Cooper to Appear Pro Hac Vice by ACLU of Mississippi (Diaz, Oliver) (Entered: 06/06/2016)
06/07/2016		TEXT-ONLY ORDER granting <u>18</u> Motion to Appear Pro Hac Vice. That Leslie Cooper be admitted pro hac vice in this case on behalf of the plaintiffs in association with local counsel and upon registration for electronic filing as required by the Court. No further written order shall issue from the Court. Signed by Magistrate Judge F. Keith Ball on 6/7/2016. (JEJ) (Entered: 06/07/2016)
06/07/2016		Pro Hac Vice fee paid by (Leslie Cooper) \$ 100, receipt number 34643039684. (TLC) (Entered: 06/07/2016)
06/10/2016	<u>19</u>	ORDER REASSIGNING CASE. Case reassigned to District Judge Carlton W. Reeves and Magistrate Judge Linda R. Anderson for all further proceedings. District Judge Daniel P. Jordan, III, Magistrate Judge F. Keith Ball no longer assigned to case. Signed by Chief District Judge Louis Guirola, Jr on 6/10/16.(TLC) (Entered: 06/10/2016)
06/20/2016	<u>20</u>	ORDER denying <u>2</u> Motion for Preliminary Injunction. Signed by District Judge Carlton W. Reeves on 6/20/2016. (AC) (Entered: 06/20/2016)
06/20/2016	<u>21</u>	MOTION for Reconsideration re <u>20</u> Order on Motion for Preliminary Injunction by ACLU of Mississippi, Nykolas Alford, Stephen Thomas (Block – PHV, Joshua) (Entered: 06/20/2016)
06/20/2016	<u>22</u>	MEMORANDUM in Support re <u>21</u> MOTION for Reconsideration re <u>20</u> Order on Motion for Preliminary Injunction filed by ACLU of Mississippi, Nykolas Alford, Stephen Thomas (Block – PHV, Joshua) (Entered: 06/20/2016)
06/22/2016	<u>23</u>	ORDER denying <u>21</u> Motion for Reconsideration. Signed by District Judge Carlton W. Reeves on 6/22/2016. (EJ) (Entered: 06/22/2016)
07/08/2016		NOTICE OF SETTING: Telephonic Status Conference set for 7/27/2016 10:00 AM before Magistrate Judge Linda R. Anderson. Oliver Diaz to initiate conference call. Telephone number: 601-608-4440. (WG) (Entered: 07/08/2016)
07/27/2016		Minute Entry for proceedings held before Magistrate Judge Linda R. Anderson: Telephonic Status Conference held on 7/27/2016. Participants: Oliver Diaz, Jr., Joshua Block, Paloma Wu and Douglas Miracle. Court spoke with counsel. The parties were unable to agree on whether the case should be stayed pending the outcome of the Fifth Circuit appeal. The State will file a formal motion to stay the case on or before 8/8/2016 and plaintiffs will file response thereafter. (WG) (Entered: 07/27/2016)
08/08/2016	<u>24</u>	MOTION to Stay Case by Judy Moulder (Attachments: # <u>1</u> Exhibit A– Civil Coversheet, # <u>2</u> Exhibit B – Memo dated July 11, 2016, # <u>3</u> Exhibit C – Memo dated July 13, 2016)(Miracle – State Gov, Douglas) (Entered: 08/08/2016)
08/08/2016	<u>25</u>	MEMORANDUM in Support re <u>24</u> MOTION to Stay Case filed by Judy Moulder (Miracle – State Gov, Douglas) (Entered: 08/08/2016)
08/25/2016	<u>26</u>	***ERROR – DISREGARD THIS ENTRY **** MEMORANDUM in Opposition re <u>24</u> MOTION to Stay Case filed by ACLU of Mississippi, Nykolas Alford, Stephen Thomas (Wu – PHV, Paloma) Modified on 8/26/2016 (TLC). (Entered: 08/25/2016)
08/26/2016		DOCKET ANNOTATION as to # <u>26</u> This document is not signed in compliance with the courts Administrative Procedures for Electronic Case Filing (Sec.3.D.) and Fed.R.Civ.P. Rule 11(a). Attorney is directed to refile the document with an appropriate signature. This document is also not accompanied by a certificate of service. A certificate of service must be attached to a document [Administrative Procedures for Electronic Case Filing, Sec. 4.A.1., Sec. 4.B, and Fed.R.Civ.P. Rule 5(d)(1)]. Attorney is directed to file a certificate as CERTIFICATE OF SERVICE and link it to the proper document. (TLC) (Entered: 08/26/2016)

08/26/2016	<u>27</u>	CERTIFICATE OF SERVICE by ACLU of Mississippi, Nykolas Alford, Stephen Thomas re <u>26</u> Memorandum in Opposition to Motion to Stay Case (Wu – PHV, Paloma) (Entered: 08/26/2016)
08/26/2016	<u>28</u>	MEMORANDUM in Opposition re <u>24</u> MOTION to Stay Case filed by ACLU of Mississippi, Nykolas Alford, Stephen Thomas (Wu – PHV, Paloma) (Entered: 08/26/2016)
09/06/2016	<u>29</u>	RESPONSE in Support re <u>24</u> MOTION to Stay Case filed by Judy Moulder (Attachments: # <u>1</u> Exhibit A Order Denying Stay Pending Appeal, # <u>2</u> Exhibit B – Order Denying Stay Pending Appeal, # <u>3</u> Exhibit C – Agreed Order)(Miracle – State Gov, Douglas) (Entered: 09/06/2016)
10/17/2016	<u>30</u>	ORDER granting <u>24</u> Motion to Stay Case. Signed by District Judge Carlton W. Reeves on 10/17/2016. (AC) (Entered: 10/17/2016)
09/13/2017		Set/Reset Hearings: Telephonic Status Conference set for 9/20/2017 at 2:00 PM before District Judge Carlton W. Reeves. (AC) (Entered: 09/13/2017)
09/15/2017	<u>31</u>	NOTICE of Appearance by Joshua F. Tom on behalf of All Plaintiffs (Tom, Joshua) (Entered: 09/15/2017)
09/20/2017		Minute Entry for proceedings held before District Judge Carlton W. Reeves: Telephone Status Conference held on 9/20/2017. Participants: Joshua Block, Joshua F. Tom, Paloma Wu and Douglas T. Miracle. (JS) (Entered: 09/20/2017)
12/18/2017	<u>32</u>	MOTION to Withdraw as Attorney <i>Paloma Wu</i> by ACLU of Mississippi, Nykolas Alford, Stephen Thomas (Wu, Paloma) (Entered: 12/18/2017)
12/19/2017		TEXT-ONLY ORDER granting <u>32</u> Motion to Withdraw as Attorney. Attorney Paloma Wu terminated for plaintiffs. Signed by Magistrate Judge Linda R. Anderson on 12/19/2017. NO FURTHER WRITTEN ORDER WILL ISSUE. (WG) (Entered: 12/19/2017)
08/22/2018	<u>33</u>	ORDER re Status of Claims. Signed by District Judge Carlton W. Reeves on 8/22/2018. (AC) (Entered: 08/22/2018)
08/24/2018	<u>34</u>	Unopposed MOTION to Extend Time to Respond to Court Order Deadline by ACLU of Mississippi, Nykolas Alford, Stephen Thomas (Tom, Joshua) (Entered: 08/24/2018)
08/24/2018	<u>35</u>	CERTIFICATE of Counsel re <u>34</u> Unopposed MOTION to Extend Time to Respond to Court Order Deadline by Joshua F. Tom on behalf of All Plaintiffs (Tom, Joshua) (Entered: 08/24/2018)
08/29/2018		TEXT-ONLY ORDER granting <u>34</u> Unopposed Motion to Extend Deadline. The new deadline is September 21, 2018. Signed by District Judge Carlton W. Reeves on 8/29/2018. NO FURTHER WRITTEN ORDER SHALL ISSUE ON THIS MOTION. (AC) (Entered: 08/29/2018)
09/21/2018	<u>36</u>	Joint MOTION to Dismiss <i>Without Prejudice</i> by ACLU of Mississippi, Nykolas Alford, Stephen Thomas (Attachments: # <u>1</u> Exhibit Joint Stipulation of Dismissal Without Prejudice)(Tom, Joshua) (Entered: 09/21/2018)
09/26/2018	<u>37</u>	STIPULATION of Dismissal <i>Without Prejudice</i> by ACLU of Mississippi, Nykolas Alford, Stephen Thomas (Tom, Joshua) (Entered: 09/26/2018)