

**Commonwealth of Massachusetts
SUFFOLK SUPERIOR COURT**

03/07/2007

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Case Summary
Civil Docket

SUCV2003-00895

Foxworth, W52274 et al v Maloney, Comr Dept Corrections et al

File Date	02/25/2003	Status	Disposed: appeal pending (dappen)
Status Date	12/04/2006	Session	E - Civil E, 3 Pemberton Sq, Boston
Origin	1 - Complaint	Case Type	E96 - Prisoner Cases
Track	F - Fast track	Lead Case	
		Jury Trial	Yes

DEADLINES

	Service	Answer	Rule12/19/20	Rule 15	Discovery	Rule 56	Final PTC	Judgment
Served By					12/22/2003			
Filed By	05/26/2003	07/25/2003	07/25/2003	07/25/2003		01/21/2004		04/20/2004
Heard By							02/20/2004	

PARTIES

Plaintiff
Robert Foxworth, W52274
MCI Cedar Junction
PO Box 100
South Walpole, MA 02071
Active (prisoner) 03/12/2003 Notify

Plaintiff
Craig Hood, W58826
Old Colony Correctional Center
One Administration Road
Bridgewater, MA 02324
Active (prisoner) 03/12/2003 Notify

Plaintiff
Tony Gaskins, W52145
MCI Cedar Junction
PO Box 100
South Walpole, MA 02071
Active (prisoner) 03/12/2003 Notify

Plaintiff
Michael Adessa, W69458
MCI Cedar Junction
PO Box 100
South Walpole, MA 02071
Active (prisoner) 03/12/2003 Notify

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Foxworth, W52274 et al v Maloney, Comr Dept Corrections et al

Plaintiff

Dornell Wigfall, W47068
PO Box 100
South Walpole, MA 02071
Active (prisoner) 03/12/2003 Notify

Plaintiff

Charles Thore, W87140
MCI Concord
PO Box 9106
Concord, MA 01742
Active (prisoner) 03/12/2003 Notify

Defendant

Michael T Maloney, Comr Dept Corrections
Served: 04/11/2003
Answered: 01/29/2004
Answered 01/29/2004

Private Counsel 600093

Julie E Daniele
Mass Corrections Dept
70 Franklin Street
Suite 600 Legal Division
Boston, MA 02110-1300
Phone: 617-727-3300
Fax: 617-727-7403
Active 04/30/2003 Notify

Private Counsel 541852

James R Pigeon
Mass Correctional Legal Services
8 Winter Street
11th floor
Boston, MA 02108
Phone: 617-482-2773
Fax: 617-451-6383
Active 01/06/2006 Notify

Defendant

Peter Allen, Supt MCI-Cedar Junction
Served: 04/11/2003
Answered: 01/29/2004
Answered 01/29/2004

Private Counsel 600093

Julie E Daniele
Mass Corrections Dept
70 Franklin Street
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Boston, MA 02110-1300
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Defendant

John Luongo, Deputy Supt MCI-Cedar Junction
Served: 04/17/2003
Answered: 01/29/2004
Answered 01/29/2004

*** See Attorney Information Above ***

Defendant

Mellisa Coache
Served: 04/17/2003
Answered: 01/29/2004
Answered 01/29/2004

*** See Attorney Information Above ***

ENTRIES

Date	Paper	Text
02/25/2003	1.0	Affidavit of indigency of Robert Foxworth and Request for Waiver, substitution or state payment of fees & costs, filing fee, service fees, TRO fee, if any, allowed subject to review by Judge (IMPOUNDED)
02/25/2003		Origin 1, Type E96, Track F.
02/25/2003	2.0	Affidavit of indigency of Craig Hood and Request for Waiver, substitution or state payment of fees & costs, filing fee, service fees, TRO fee, if any, allowed subject to review by Judge (IMPOUNDED)
02/25/2003	3.0	Affidavit of indigency of Tony Gaskins and Request for Waiver, substitution or state payment of fees & costs, filing fee, service fees, TRO fee, if any, allowed subject to review by Judge (IMPOUNDED)
02/25/2003	4.0	Affidavit of indigency of Micheal Addressa and Request for Waiver, substitution or state payment of fees & costs, filing fee, service fees, TRO fee, if any, allowed subject to review by Judge (IMPOUNDED)
02/25/2003	5.0	Affidavit of indigency of Dornell Wigfall and Request for Waiver, substitution or state payment of fees & costs, filing fee, service fees, TRO fee, if any, allowed subject to review by Judge (IMPOUNDED)
02/25/2003	6.0	Affidavit of indigency of Charles Thore and Request for Waiver, substitution or state payment of fees & costs, filing fee, service fees, TRO fee, if any, allowed subject to review by Judge (IMPOUNDED)
02/25/2003	7.0	Complaint filed with request for trial by jury
02/25/2003	8.0	Civil action cover sheet filed
03/24/2003	9.0	ORDER PURSUANT TO M.G.L. C261 S 29 -- The Department of Corrections is ORDERED to produce to the Suffolk Superior Court a statement of the inmate account for ROBERT FOXWORTH who is housed in the MCI CEDAR JUNCTION, PO BOX 100, SOUTH WALPOLE, MA. 02071. The statement to be produced shall be for the 6 month period prior to the date of this order. The statement is to be mailed to: Suffolk Superior Court, Prisoner Department, 90 Devonshire Street, Boston, Ma. 02109. Service is to be made upon defendant(s) by means of certified mail by plaintiff(s). A copy of the complaint is to be sent to the Office of

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Date	Paper	Text
	9.0	the Attorney General or the Department of Corrections by the Plaintiff. (White, Justice) (Dated 03/21/2003) Notice Sent 03/24/2003.
03/24/2003	10.0	ORDER PURSUANT TO M.G.L. C261 S 29 -- The Department of Corrections is ORDERED to produce to the Suffolk Superior Court a statement of the inmate account for TONY GASKINS who is housed in the MCI CEDAR JUNCTION, PO BOX 100, SOUTH WALPOLE, MA. 02071. The statement to be produced shall be for the 6 month period prior to the date of this order. The statement is to be mailed to: Suffolk Superior Court, Prisoner Department, 90 Devonshire Street, Boston, Ma. 02109. Service is to be made upon defendant(s) by means of certified mail by plaintiff(s). A copy of the complaint is to be sent to the Office of the Attorney General or the Department of Corrections by the Plaintiff. (White, Justice) (Dated 03/21/2003) Notice Sent 03/24/2003.
03/24/2003	11.0	ORDER PURSUANT TO M.G.L. C261 S 29 -- The Department of Corrections is ORDERED to produce to the Suffolk Superior Court a statement of the inmate account for CRAIG HOOD who is housed in the MCI CEDAR JUNCTION, PO BOX 100, SOUTH WALPOLE, MA. 02071. The statement to be produced shall be for the 6 month period prior to the date of this order. The statement is to be mailed to: Suffolk Superior Court, Prisoner Department, 90 Devonshire Street, Boston, Ma. 02109. Service is to be made upon defendant(s) by means of certified mail by plaintiff(s). A copy of the complaint is to be sent to the Office of the Attorney General or the Department of Corrections by the Plaintiff. (White, Justice) (Dated 03/21/2003) Notice Sent 03/24/2003.
03/24/2003	12.0	ORDER PURSUANT TO M.G.L. C261 S 29 -- The Department of Corrections is ORDERED to produce to the Suffolk Superior Court a statement of the inmate account for MICHAEL ADDESSA who is housed in the MCI CEDAR JUNCTION, PO BOX 100, SOUTH WALPOLE, MA. 02071. The statement to be produced shall be for the 6 month period prior to the date of this order. The statement is to be mailed to: Suffolk Superior Court, Prisoner Department, 90 Devonshire Street, Boston, Ma. 02109. Service is to be made upon defendant(s) by means of certified mail by plaintiff(s). A copy of the complaint is to be sent to the Office of the Attorney General or the Department of Corrections by the Plaintiff. (White, Justice) (Dated 03/21/2003) Notice Sent 03/24/2003.
03/24/2003	13.0	ORDER PURSUANT TO M.G.L. C261 S 29 -- The Department of Corrections is ORDERED to produce to the Suffolk Superior Court a statement of the inmate account for CHARLES THORE who is housed in the MCI CEDAR JUNCTION, PO BOX 100, SOUTH WALPOLE, MA. 02071. The statement to be produced shall be for the 6 month period prior to the date of this order. The statement is to be mailed to: Suffolk Superior Court, Prisoner Department, 90 Devonshire Street, Boston, Ma. 02109. Service is to be made upon defendant(s) by means of certified mail by plaintiff(s). A copy of the complaint is to be sent to the Office of the Attorney General or the Department of Corrections by the Plaintiff. (White, Justice) (Dated 03/21/2003) Notice Sent 03/24/2003.

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Date	Paper	Text
03/24/2003	14.0	ORDER PURSUANT TO M.G.L. C261 S 29 -- The Department of Corrections is ORDERED to produce to the Suffolk Superior Court a statement of the inmate account for DORNELL WIGFALL who is housed in the MCI CEDAR JUNCTION, PO BOX 100, SOUTH WALPOLE, MA. 02071. The statement to be produced shall be for the 6 month period prior to the date of this order. The statement is to be mailed to: Suffolk Superior Court, Prisoner Department, 90 Devonshire Street, Boston, Ma. 02109. Service is to be made upon defendant(s) by means of certified mail by plaintiff(s). A copy of the complaint is to be sent to the Office of the Attorney General or the Department of Corrections by the Plaintiff. (White, Justice) (Dated 03/21/2003) Notice Sent 03/24/2003.
04/22/2003	15.0	SERVICE RETURNED: Peter Allen, Supt MCI-Cedar Junction(Defendant) certified mail on 4/11/03)
04/22/2003	16.0	SERVICE RETURNED: Michael T Maloney, Comr Dept Corrections(Defendant) (certified mail 4/11/03)
04/22/2003	17.0	SERVICE RETURNED: John Luongo, Deputy Supt MCI-Cedar Junction(Defendant) (certified mail on 4/17/03)
04/22/2003	18.0	SERVICE RETURNED: Mellisa Coache(Defendant) (certified mail on 4/17/03)
04/29/2003	19.0	Motion of defts to enlarge time for filing response to complaint to & incl May 30, 2003 (w/o opposition)
05/07/2003	20.0	FURTHER ORDER RELATIVE TO PLAINTIFF'S INDIGENCY When the above entitled matter was filed, the court entered an order conditionally allowing the plaintiff's Motion to proceed in forma pauperis. The plaintiff Robert Foxworth was directed to file with the Court a copy of his canteen account for the past six months to confirm his indigency. Based upon the plaintiff's canteen account statement which has been filed with the court, the court finds that the plaintiff is able to afford a filing fee in the amount of \$70.00 without depriving himself of the necessities of life. Unless this amount is paid by 06/05/2003, BY SENDING A CHECK OR MONEY ORDER payable to the SUFFOLK COUNTY SUPERIOR COURT CLERK FOR CIVIL BUSINESS, a judgement shall enter dismissing this action without prejudice. (White, Justice) (dated 05/06/2003) Notice Sent 05/07/2003.
05/07/2003	21.0	FURTHER ORDER RELATIVE TO PLAINTIFF'S INDIGENCY When the above entitled matter was filed, the court entered an order conditionally allowing the plaintiff's Motion to proceed in forma pauperis. The plaintiff Craig Hood was directed to file with the Court a copy of his canteen account for the past six months to confirm his indigency. Based upon the plaintiff's canteen account statement which has been filed with the court, the court finds that the plaintiff is able to afford a filing fee in the amount of \$70.00 without depriving himself of the necessities of life. Unless this amount is paid by 06/05/2003, BY SENDING A CHECK OR MONEY ORDER payable to the SUFFOLK COUNTY SUPERIOR COURT CLERK FOR CIVIL BUSINESS, a judgement shall enter dismissing this action without prejudice. (White, Justice) (dated

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Date	Paper	Text
	21.0	05/06/2003) Notice Sent 05/07/2003.
05/07/2003	22.0	FURTHER ORDER RELATIVE TO PLAINTIFF'S INDIGENCY When the above entitled matter was filed, the court entered an order conditionally allowing the plaintiff's Motion to proceed in forma pauperis. The plaintiff Tony Gaskins was directed to file with the Court a copy of his canteen account for the past six months to confirm his indigency. Based upon the plaintiff's canteen account statement which has been filed with the court, the court finds that the plaintiff is able to afford a filing fee in the amount of \$55.00 without depriving himself of the necessities of life. Unless this amount is paid by 06/05/2003, BY SENDING A CHECK OR MONEY ORDER payable to the SUFFOLK COUNTY SUPERIOR COURT CLERK FOR CIVIL BUSINESS, a judgement shall enter dismissing this action without prejudice. (White, Justice) (dated 05/06/2003) Notice Sent 05/07/2003.
05/07/2003	23.0	FURTHER ORDER RELATIVE TO PLAINTIFF'S INDIGENCY When the above entitled matter was filed, the court entered an order conditionally allowing the plaintiff's Motion to proceed in forma pauperis. The plaintiff Michael Adessa was directed to file with the Court a copy of his canteen account for the past six months to confirm his indigency. Based upon the plaintiff's canteen account statement which has been filed with the court, the court finds that the plaintiff is able to afford a filing fee in the amount of \$25.00 without depriving himself of the necessities of life. Unless this amount is paid by 06/05/2003, BY SENDING A CHECK OR MONEY ORDER payable to the SUFFOLK COUNTY SUPERIOR COURT CLERK FOR CIVIL BUSINESS, a judgement shall enter dismissing this action without prejudice. (White, Justice) (dated 05/06/2003) Notice Sent 05/07/2003.
05/07/2003	24.0	FURTHER ORDER RELATIVE TO PLAINTIFF'S INDIGENCY When the above entitled matter was filed, the court entered an order conditionally allowing the plaintiff's Motion to proceed in forma pauperis. The plaintiff Dornell Wigfall was directed to file with the Court a copy of his canteen account for the past six months to confirm his indigency. Based upon the plaintiff's canteen account statement which has been filed with the court, the court finds that the plaintiff is able to afford a filing fee in the amount of \$25.00 without depriving himself of the necessities of life. Unless this amount is paid by 06/05/2003, BY SENDING A CHECK OR MONEY ORDER payable to the SUFFOLK COUNTY SUPERIOR COURT CLERK FOR CIVIL BUSINESS, a judgement shall enter dismissing this action without prejudice. (White, Justice) (dated 05/06/2003) Notice Sent 05/07/2003.
05/07/2003	25.0	FURTHER ORDER RELATIVE TO PLAINTIFF'S INDIGENCY When the above entitled matter was filed, the court entered an order conditionally allowing the plaintiff's Motion to proceed in forma pauperis. The plaintiff Charles Thore was directed to file with the Court a copy of his canteen account for the past six months to confirm his indigency. Based upon the plaintiff's canteen account statement which has been

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Date	Paper	Text
	25.0	filed with the court, the court finds that the plaintiff is able to afford a filing fee in the amount of \$15.00 without depriving himself of the necessities of life. Unless this amount is paid by 07/07/2003, BY SENDING A CHECK OR MONEY ORDER payable to the SUFFOLK COUNTY SUPERIOR COURT CLERK FOR CIVIL BUSINESS, a judgement shall enter dismissing this action without prejudice. (White, Justice) Notice Sent 06/04/2003.
05/07/2003	26.0	MOTION for appointment of counsel (filed 02/25/03) & Denied (dated 05/05/03) Notice sent 05/07/03
05/20/2003		Filing fee for Tony Gaskins paid in the amount of \$55.00 per the Order of White, Justice (See P#22).
05/27/2003	27.0	Defts further motion for enlargement of time to file answer to & including (30) days & Allowed (Ball,J) Notice Sent 5/23/03 (entered 5/22/03)
05/30/2003		Filing fee for Graig Hood paid in the amount of \$70.00 per the Order of White, Justice (See P#21).
06/03/2003	28.0	Motion of plff Robert Foxworth to enlarge time for payment of filing fes from June 5, 2003 up until July 5, 2003 (30 days) (w/o opposition)
06/23/2003	29.0	Further motion of defts for enlargement of time within which to file a responsive pleading up to & incl thirty (30) days from the date the final plff pays any assessed fees or up to thirty (30) days from the date plffs are required to pay such a filing fee (w/o opposition)
06/24/2003	30.0	Emergency motion re: retention of jurisdiction & trial assignment of counterclaim (w/o opposition)
07/03/2003		MOTION (P#30) DENIED (Staffier,J) Notices mailed June 30, 2003 (entered 6/26/03)
07/08/2003		Filing fee for Robert Foxworth paid in the amount of \$70.00 per the Order of White, Justice (See P#20).
07/08/2003		Filing fee for Michael Adessa paid in the amount of \$25.00 per the Order of White, Justice (See P#23).
07/08/2003		Filing fee for Dornell Wigfall paid in the amount of \$25.00 per the Order of White, Justice (See P#24).
07/08/2003		Filing fee for Charles Thore paid in the amount of \$15.00 per the Order of White, Justice (See P#25).
09/09/2003	31.0	Motion of plffs for preliminary injunction (w/o opposition)
09/09/2003	32.0	Affidavit of Robert Foxworth in support of motion for preliminary injunction
09/16/2003	33.0	Opposition of defts Maloney, ALlen, Luongo & Coache to plff's motion for Preliminary Injunction
09/19/2003	34.0	Request to change data base information (Sikora,J) Rule 56 motion December 15, 2003 Final PTC Feb 12, 2004 Trial April 5, 2004
10/14/2003	35.0	Plff's motion to supplement his preliminary injunctin in opposition of defts motion opposing preliminary injunction (w/o opposition)
10/14/2003	36.0	Motion of plff to compel discovery (w/o opposition)
11/12/2003		MOTION (P#31) Motion for preliminary injunction DENIED;also it appears that this action may be moot. Defendants are to file a motion

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Date	Paper	Text
11/12/2003		on that ground with notice to plaintiff (White, Justice)(dated 11/10/03) Notices mailed November 12, 2003 MOTION (P#36) Without having what discovery is being sought, the Court is unable to rule on this motion (White, Justice)(dated 11/10/03). Notices mailed November 12, 2003
11/14/2003	37.0	Motion of plff Robert Foxworth to compel defts to turn over discovery in this matter (w/o opposition)
11/18/2003	38.0	Motion of plff to compel defts to turn over ints admissions and production of documents which the plff enclosed with the complaint (w/o opposition)
12/31/2003	39.0	Plffs motion of stipulation that the pending civil matter is not moot (w/o opposition)
01/29/2004	40.0	Defts motion to dismiss or for summary judgment (w/o opposition)
02/02/2004	41.0	Defts moton to stay discovery (w/o opposition)
02/10/2004	42.0	Motion of plff to extend time for plff to file a motion opposing deft's request to dismiss or for summary judgement (w/o opposition)
02/10/2004	43.0	Plff's motion for an order compkelling defts to turn over discovery in the pending matter (w/o opposition)
02/17/2004	44.0	ORDER RELATIVE TO DEFENDANT(S) MOTION TO DISMISS OR FOR SUMMARY JUDGMENT -- The Court is in receipt of defendant's motion to dismiss or for summary judgment. The Court grants the plaintiffs until 04/02/2004 to file an opposition to this motion. (White, Justice) Notice Sent 02/17/2004.
02/18/2004	45.0	Plffs motion to enlarge time to file opposition to defts moiton to dismiss or in the alternative for summary judgment (w/o opposition)
03/03/2004	46.0	Cross motion of plff Robert Foxworth for summary judgment in opposition to defts motion to dismiss, or in the alternative, for summary judgment (w/o opposition)
03/12/2004		MOTION (P#41) ALLOWED. (White, Justice) (dated 03/03/2004) Notices mailed 03/12/2004.
03/12/2004		MOTION (P#43) DENIED. (White, Justice) (dated 03/03/2004) Notices mailed 03/12/2004.
04/08/2004		Notice of Annual Civil Litigation Fee mailed to pro-se plaintiff Robert Foxworth on April 8, 2004
04/13/2004	47.0	Plaintiff Robert Foxworth motion to waive Annual Court Litigation Fee (no opposition)
04/13/2004	48.0	Affidavit of Robert Foxworth in support of his motion to waive annual filing fees
06/02/2004		MOTION (P#47) Plaintiff is ORDERED to pay a reduced fee of \$35.00 (Fabricant, Justice) Notices mailed June 02, 2004
06/10/2004		Annual Civil Litigation fee in the sum of \$35.00 paid by the plaintiff on 6/10/04
08/25/2004	49.0	Motion of plaintiff for Writ of habeas Corpus Ad-Testificandum w/o opposition
08/25/2004	50.0	Motion of plaintiff for Temproary Restraining Order and a Preliminary injunction w/o opposition

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Date	Paper	Text
09/28/2004	51.0	Plff's motion for short notice hearing (w/o opposition)
11/09/2004		Case status changed to 'Needs review for answers' at service deadline review
11/10/2004		Case status changed to 'Needs discovery' at answer deadline review
12/14/2004	52.0	Motion of plff for leave of Court to file a supplemental motion for TRO and preliminary injunction (w/o opposition)
12/24/2004	53.0	Plaintiff Tony Gaskins, W52145's Motion to compel a hearing on his motion for TRO & Preliminary Injunction w/o opposition
12/21/2005	54.0	Plaintiffs MOTION for leave of court to expand the record on their Cross Motion for Summary Judgment w/o opposition
01/05/2006	55.0	Motion of Mass Correctional Legal Services for leave to file amicus brief (w/o opposition)
01/12/2006		MOTION (P#55) ALLOWED (Janet L. Sanders, Justice) (Dated 1/9/06) Notices mailed 1/11/2006
01/13/2006	56.0	Massachusetts Correctional Legal Services MOTION to enlarge time to file Amicus Brief from January 13, 2006 to January 20, 2006 (w/o opp)
01/17/2006	57.0	Defts motion to vacate plffs indigency status and to dismiss case based upon fraud on the Court (w/o opposition)
01/17/2006	58.0	Defts motion to seal exhibits 1 and 2 in support of their motion to vacate plffs indigency status and to dismiss case based upon fraud on the court (w/o opposition)
01/23/2006		MOTION (P#56) ALLOWED (Janet L. Sanders, Justice) Notices mailed 1/25/2006
01/24/2006	59.0	Opposition of Tony Gaskins to defts motion to vacate plff's indigency status and to dismiss case based upon fraud on the court
01/27/2006	60.0	Defts motion to file reply brief to "Memorandum of Amicus Curiae Mass Correctional Legal Services in support of plffs cross-moton for summary judgment
04/19/2006	61.0	MEMORANDUM OF DECISION AND ORDER ON DEFENDANTS' MOTION TO DISMISS, OR IN THE ALTERNATIVE FOR SUMMARY JUDGMENT, AND PLAINTIFFS' CROSS-MOTION FOR SUMMARY JUDGMENT -- ORDER For the foregoing reasons, it is ORDERED that the plaintiffs' cross-motion for summary judgment be allowed in part. It is FURTHER ORDERED that a status hearing be held in this case to clarify the status of each plaintiff and to identify the remaining live issues in the case, as well as, the manner in which they will be addressed. (Margot Botsford, Justice) (entered 04/14/2006) Notice Sent 04/19/2006
05/05/2006	62.0	Plaintiffs' MOTION to Clarify the record as to the remaining live issues pending within the cross motion for summary judgment, and that was argued at the video conference hearing (w/o opp)
05/11/2006	63.0	Plaintiff Robert Foxworth, W52274's MOTION for Assessment of Damages (w/o opp)
05/19/2006	64.0	Court received Notice from deft re: Memerandum of decision & Order dated 4/19/06
06/06/2006	65.0	Plaintiff's joint motion to find defendants in contempt (w/o opposition)

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	76.0	currently in effect, the defendant correctional officials are required to permit an inmate assigned to a Special Management Unit (SMU) on administrative segregation status (1) to have the personal items specified in the regulation, including a television, and (2) to order items from the canteen including food items, except insofar as the institution's director of security specifically determines that a particular canteen item or items would be a threat to the security of the SMU; and The remaining claims of plffs are dismissed against defts entered on docket pursuant to Mass R Civ P 58(a) and notice sent to parties pursuant to Mass R Civ P 77(d)
11/29/2006	77.0	Plaintiff's motion to re-open action to resolve M.G.L. C. 231A sec 5 petition (w/o opposition)
12/04/2006	79.0	Plaintiff Robert Foxworth, W52274's notice of appeal
12/11/2006		Notice to Justice Margot Botsford of the filing of Notice of Appeal
12/11/2006		Notice of service of the filing of Notice of Appeal to: Craig Hood, W58826; Tony Gaskins; Michael Adessa, W69458; Julie E Daniele, Esquire, Mass Corrections Department; James P. Pingeon, Esquire
12/18/2006	80.0	Defendants' Opposition to Plaintiffs' "Motion to Reconsider their Motion to find Defendants' in Contempt and to Compel Defendants' to Comply with this Court's Order"
01/04/2007	81.0	Plaintiff Tony B. Gaskins, W52145's MOTION for leave of court to file late notice of appeal (w/o opp)
01/17/2007	82.0	Saddig Palmer's MOTION to Intervene as plaintiff (w/o opp)
01/22/2007	83.0	Eric J. Duarte's MOTION to Intervene as plaintiff (w/o opp)
01/23/2007	84.0	Jack Beliard's motion to reopen action to resolve M.G.L.C. 231a sec 5 petition as plaintiff w/o opp)
01/23/2007	85.0	Plaintiff Robert Foxworth, W52274's MOTION for writ of habeas corpus ad-testificandum (w/o opp)
01/23/2007	86.0	Plaintiff Robert Foxworth, W52274's MOTION for a hearing (w/o opp)
01/23/2007	87.0	Plaintiff Tony B. Gaskins motion for Temporary Restraining order and for a Preliminary Injunction (w/o opp)
03/05/2007	88.0	Plaintiff Robert Foxworth, W52274's MOTION to waive filing fees to appeal (w/o opp)

EVENTS

Date	Session	Event	Result
06/11/2004	Civil D, 3 Pemberton Sq, Boston	Status: Review Annual Fee fee paid 6/11/04	Event held as scheduled
08/12/2005	Civil E, 3 Pemberton Sq, Boston	Motion/Hearing: Rule12 to Dismiss This is a Video Conference. Be prepared to discuss any and all outstanding issues	Event canceled not re-scheduled
12/05/2005	Civil E, 3 Pemberton Sq, Boston	Motion/Hearing: Rule12 to Dismiss This is a Video Conference. Be prepared to discuss any and all outstanding issues	Event held as scheduled
04/26/2006	Civil E, 3 Pemberton Sq, Boston	Motion/Hearing: Rule12 to Dismiss Further hearing with Botsford, J This is a Video Conference. Be prepared to discuss any and all outstanding issues	Event held as scheduled

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Foxworth, W52274 et al v Maloney, Comr Dept Corrections et al

Date	Paper	Text
06/06/2006	66.0	Plaintiff's joint motion to compel defendants to comply with this court's order to provide plaintiffs with televisions and to be permitted to purchase food in 10-block while on awaiting action status (w/o opposition)
06/06/2006	67.0	Plaintiff Robert Foxworth, W52274's MOTION for Assessment of Damages (w/o opp)
06/20/2006	68.0	Defendants' response to plaintiffs' "motion to clarify the record as to the remaining live issues pending within the cross-motion for summary judgment"
06/21/2006	69.0	Opposition of Defendant to plaintiffs' "joint motion to find defendants in contempt"
06/21/2006	70.0	Defendants' opposition to plaintiffs' "joint motion to compel defendants to comply with this court's order to provide plaintiffs with televisions and to be permitted to purchase food in 10-block on awaiting action status"
06/21/2006	71.0	Defendants' opposition to plaintiffs' "motion for assessment of damages"
06/22/2006	72.0	Defendant's Motion to dismiss final remaining claims re: Michael Maloney, Peter Allen John Luongo and Melissa Coach (w/o opposition)
07/10/2006	73.0	Motion to establish on the record that retaliatory measures were taken against Tony B. Gaskins by defendants and their counsel, Julie E. Daniele (w/o opposition)
07/12/2006	74.0	Pliffs Joint Response to defts Motion to dismiss final remaining claim
10/23/2006	75.0	MEMORANDUM AND ORDER ON: (1) Plaintiffs' motion to clarify record of remaining issues and the defendants' response; (2) plaintiffs' motion to find the defendants in contempt and the defendants' opposition; (3) plaintiffs' joint motion to compel defendants to comply with court order and the defendants' opposition; and (4) plaintiffs' motion for assessment of damages and the defendants' opposition (ORDER) For the reasons stated above, this court DENIES the plaintiffs' remaining claims including: their contention that the loss of privileges over fifteen days is excessive punishment, their motion to compel the defendants to comply or to hold the defendants in contempt, and their motion for an assessment of damages. It is ORDERED that a final judgment enter: 1. Declaring that pursuant to 103 Code Mass. Regs. 423.09 (a) and (k), currently in effect, the defendant correctional officials are required to permit an inmate assigned to a Special Management Unit (SMU) on administrative segregation status (1) to have the personal items specified in the regulation, including a television, and (2) to order items from the canteen including food items, except insofar as the institution's director of security specifically determines that a particular canteen item or items would be a threat to the security of the SMU; and 2. Dismissing the plaintiffs' remaining claims. (Margot Botsford, Justice). (dated 06/29/2006) Copies mailed 10/23/2006
10/25/2006	76.0	FINAL JUDGMENT pursuant to 103 Code Mass. Regs. 423.09 (a) and (k),

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