

UNITED STATES DISTRICT COURT

for the
District of South Carolina

Kevin Wayne McDaniels,

Plaintiff

v.

Civil Action No. 1:12-cv-00006-TMC

Richland Co. Public Defenders Office;
Richland Co. Solicitors Office; Honorable Judge
Cooper; Richland Co. Sheriff's Dept.; Sgt.
McDaniels, Richland Co Sheriff; William Byars, Jr.,
Director of SCDC ; B.J. McKie, Warden at Kirkland
C.I.; Monica Counts, SCDC State Classification;
Tim Riley, Warden at Tyger River C.I.; Greenville
Co. Sheriff's Office; Mary Fields, Homicide
Detective Greenville Co. Sheriffs Dept.; Benjamin T.
Stepp, Federal Public Defender; AUSA A. Lance
Crick, Federal Prosecutor Greenville SC; Honorable
Henry F. Floyd, U S Magistrate Judge; US Dept of
Justice, Alcohol, Tobacco, Firearms & Explosives;
Randal Beach, ATF Special Agent; Eric Holder, Jr.,
U.S. Attorney General; Lexington Co. Sheriff's
Dept.; Nikki Haley, Governor of South Carolina;
Chris Florian, SCDC Deputy General Counsel; Alan
Wilson, SCDC Attorney General; Kevin Owens,
Attorney at Law; Barry Barnett, Spartanburg Co.
Chief Solicitor; Robert B. Hall, Attorney at Law;
Richard B. Ives, Warden USP McCreary; D.B. Drew,
Warden at USP Low Coleman; Terry O'Brien,
Warden at USP Hazelton; Matthew Zagula, PA at
USP McCreary; RT Lowry, MD at USP McCreary;
A. Bryant, PA at USP McCreary; Neil Stephens, RN
at USP McCreary; J. Vazquez, MD at USP Coleman;
Edgar Morales, MLP at USP Low Coleman; Walter
Dobushak, at USP Hazelton; Mr. Crawford, MD PA
at FCI Williamsburg; Irwin Fish, MD PA at FCI
Williamsburg; Dr. Massa, MD PA at FCI
Williamsburg; Dr. Loranth, MD PA at FCI
Williamsburg; Mrs. Brown, PA LPN pharmacist at
Williamsburg; Toumey Regional Medical Center;
Palmetto Richland Memorial Hospital; Baptist
Regional Medical Ctr; Chuck Wright, Spartanburg
Co Sheriff Dept Director; Tim Tucker, Sheriff of
Spartanburg County; Detective Easler, Spartanburg
County Sheriff; Dr. Beinor, Direrctor of SCDC
Health Services, being sued in their individual and
official capacity,

Defendant

JUDGMENT IN A CIVIL ACTION

The court has ordered that (check one):

[ ] the plaintiff (name) \_\_\_\_\_ recover from the defendant (name) \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$\_\_\_),
which includes prejudgment interest at the rate of \_\_\_ %, plus postjudgment interest at the rate of \_\_\_ %, along with
costs.

the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) \_\_\_\_\_

recover costs from the plaintiff (*name*) \_\_\_\_\_.

■ other: the plaintiff, Kevin Wayne McDaniels, shall take nothing of the defendants, Richland County Public Defenders Office, Richland County Solicitor's Office, Honorable Judge Cooper, Richland County Sheriff's Dept., Sgt. McDaniels, William Byars, Jr., B.J. McKie, Monica Counts, Tim Riley, Greenville County Sheriff's Office, Mary Fields, Benjamin T. Stepp, AUSA A. Lance Crick, Honorable Henry F. Floyd, US Dept of Justice Alcohol, Tobacco, Firearms & Explosives , Randal Beach, Eric Holder, Lexington County Sheriff's Dept., Nikki Haley, Chris Florian, Alan Wilson, Kevin Owens, Barry Barnett, Robert Hall, Richard B. Ives, D.B. Drew, Terry O'Brien, Chuck Wright, Tim Tucker, Detective Easler, Toumey Regional Medical Center, Palmetto Richland Memorial Hospital, Baptist Regional Medical Center, and Dr. Beinor, as to the complaint filed pursuant to 42 U.S.C. §1983 and the action as to these defendants is dismissed without prejudice.

■ other: Summary judgment is hereby entered for the defendants; Matthew Zagula, A. Bryant, Neil Stephens, J. Vazquez, Edgar Morales, Walter Dobushak, Mr. Crawford, Irwin Fish, Dr. Massa, Dr. Loranth, and Mrs. Brown. The plaintiff, Kevin Wayne McDaniels, shall take nothing of the defendants as to the complaint filed pursuant to 42 U.S.C. 1983 and this action is dismissed with prejudice.

■ other: the plaintiff, Kevin Wayne McDaniels, shall take nothing of the defendant, RT Lowery, as to the complaint filed pursuant to 42 U.S.C. §1983 and the action as to this defendant is dismissed with prejudice for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

This action was (*check one*):

tried by a jury, the Honorable \_\_\_\_\_ presiding, and the jury has rendered a verdict.

tried by the Honorable \_\_\_\_\_ presiding, without a jury and the above decision was reached.

■ decided by the Honorable Terry L. Wooten, Chief United States District Judge, presiding, in the order dated 5/2/2012, which adopted the Report and Recommendation set forth by the Honorable Shiva V. Hodges, United States Magistrate Judge, which dismissed the action without prejudice.

■ decided by the Honorable Terry L. Wooten, Chief United States District Judge, presiding, in the order dated 10/24/2012, which adopted the Report and Recommendation set forth by the Honorable Shiva V. Hodges, United States Magistrate Judge, which granted defendants' motion for summary judgment.

■ decided by the Honorable Timothy M. Cain, United States District Judge, presiding, adopting the Report and Recommendation set forth by the Honorable Shiva V. Hodges, United States Magistrate Judge, which dismissed the action against defendant RT Lowery with prejudice for failure to prosecute.

Date: March 14, 2013

LARRY W. PROPES, CLERK OF COURT

s/A. Buckingham

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*Signature of Clerk or Deputy Clerk*

