

**U.S. District Court
Western District of Wisconsin (Madison)
CIVIL DOCKET FOR CASE #: 3:12-cv-00750-bbc**

Parrish, Kenneth v. McCulloch, Deborah et al
Assigned to: District Judge Barbara B. Crabb
Referred to: Magistrate Judge Stephen L. Crocker
Cause: 42:1983 Civil Rights Act

Date Filed: 10/12/2012
Date Terminated: 03/17/2014
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff**Kenneth Parrish**

represented by **Kenneth Parrish**
Sand Ridge Secure Treatment Center
1111 North Rd
P.O. Box 800
Mauston, WI 53948-0700
(608) 847-4438
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PRO SE

V.

Defendant**Deborah McCulloch**

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TERMINATED: 10/03/2013

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Defendant**William Parker**

represented by **Jody J. Schmelzer**
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Anthony David Russomanno
(See above for address)

TERMINATED: 10/03/2013

Corey Francis Finkelmeyer

(See above for address)

TERMINATED: 12/28/2012

Date Filed	#	Docket Text
10/12/2012	<u>1</u>	COMPLAINT against Deborah McCulloch and William Parker, filed by Kenneth Parrish. (Case non-randomly assigned to District Judge Barbara B. Crabb.) (Attachments: # <u>1</u> Summons, # <u>2</u> Envelope) (elc) (Entered: 10/12/2012)
10/12/2012	<u>2</u>	Motion for Leave to Proceed in forma pauperis by Plaintiff Kenneth Parrish. (elc),(ps) (Entered: 10/12/2012)
10/12/2012	<u>3</u>	ORDER on ifp request: Plaintiff to submit Trust fund account statement. Trust Fund Account Statement due 11/5/2012. Signed by Magistrate Judge Stephen L. Crocker on 10/12/2012. (jef),(ps) (Entered: 10/12/2012)
10/24/2012	<u>4</u>	Resident Account Statement by Plaintiff Kenneth Parrish. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Additional attachment(s) added on 10/24/2012: # <u>2</u> IPP Calculation) (elc). (Entered: 10/24/2012)
10/24/2012	<u>5</u>	ORDER on ifp request: Initial partial filing fee of \$ 14.55 assessed. Initial partial filing fee due 11/14/2012. Signed by Magistrate Judge Stephen L. Crocker on 10/24/2012. (jef),(ps) (Entered: 10/24/2012)
11/07/2012		Partial Filing fee received : \$ 14.55, receipt number 34690015737. (elc),(ps) (Entered: 11/07/2012)
12/17/2012	<u>6</u>	ORDER on Leave to Proceed: Plaintiff granted leave to proceed against Defendants William Parker, Deborah McCulloch. Materials delivered to DOJ for acceptance of service. Signed by District Judge Barbara B. Crabb on 12/17/2012. (jef),(ps) (Entered: 12/17/2012)
12/28/2012	<u>7</u>	Notice of Appearance filed by Anthony David Russomanno for Defendants Deborah McCulloch, William Parker (Attachments: # <u>1</u> Certificate of Service) (Russomanno, Anthony),(ps) (Entered: 12/28/2012)
12/28/2012	<u>8</u>	Acceptance of Service by DOJ on behalf of Defendants Deborah McCulloch, William Parker. (Russomanno, Anthony),(ps) (Entered: 12/28/2012)
12/28/2012	<u>9</u>	Memorandum that for the remainder of this lawsuit plaintiff need only send a copy of his filings in this case to the court pursuant to an informal service agreement with the Wisconsin Department of Justice. Signed by Magistrate Judge Stephen L. Crocker on 12/28/2012. (elc),(ps) (Entered: 12/28/2012)
01/24/2013	<u>10</u>	ANSWER by Defendants Deborah McCulloch, William Parker. (Attachments: # <u>1</u> Certificate of Service) (Russomanno, Anthony),(ps) (Entered: 01/24/2013)
01/25/2013		Set Telephone Pretrial Conference: Telephone Pretrial Conference set for 2/26/2013 at 02:00 PM before Magistrate Judge Stephen L. Crocker. Counsel for Defendants responsible for setting up the call to chambers at (608) 264-5153. [Notice Regarding the Telephone Preliminary Pretrial Conference attached] (elc),(ps) (Entered: 01/25/2013)
02/27/2013		Minute Entry for proceedings held before Magistrate Judge Stephen L. Crocker: Telephone Preliminary Pretrial Conference – Pro Se held on 2/26/2013 [:20] (cak),(ps) (Entered: 02/27/2013)
03/01/2013	<u>11</u>	Pretrial Conference Order – Dispositive Motions for Failure to Exhaust Administrative Remedies due 4/12/2013. Dispositive Motions due 11/1/2013. Rule 26(a)(3) Disclosures and all motions in limine due 4/18/2014. Objections due 5/2/2014. Final Pretrial Conference set for 5/19/2014 at 08:00 AM. Jury Selection and Trial set for 5/19/2014 at 09:00 AM. Signed by Magistrate Judge Stephen L. Crocker on 2/28/2013. (jef),(ps) (Entered: 03/01/2013)

03/05/2013	<u>12</u>	Motion for judgment as a matter of law by Plaintiff Kenneth Parrish. (Attachments: # <u>1</u> Exhibit A – Resident statement, # <u>2</u> Exhibit B – Payroll calendar, # <u>3</u> Exhibit C – Priority mail envelope, # <u>4</u> Envelope) (jef),(ps) (Entered: 03/06/2013)
03/19/2013	<u>13</u>	ORDER denying plaintiff's <u>12</u> Motion for Judgment as a Matter of Law. Signed by District Judge Barbara B. Crabb on 3/19/2013. (jef),(ps) (Entered: 03/19/2013)
10/03/2013	<u>14</u>	Notice of Substitution of Counsel by Defendants Deborah McCulloch, William Parker. (Attachments: # <u>1</u> Certificate of Service) (Schmelzer, Jody),(ps) Modified docket text on 10/4/2013 (mmo). (Entered: 10/03/2013)
11/01/2013	<u>15</u>	MOTION FOR SUMMARY JUDGMENT by Defendants Deborah McCulloch, William Parker. (Schmelzer, Jody),(ps) (Entered: 11/01/2013)
11/01/2013	<u>16</u>	Proposed Findings of Fact filed by Defendants Deborah McCulloch, William Parker re: <u>15</u> Motion for Summary Judgment (Schmelzer, Jody),(ps) (Entered: 11/01/2013)
11/01/2013	<u>17</u>	Affidavit of William Parker filed by Defendants Deborah McCulloch, William Parker re: <u>15</u> Motion for Summary Judgment (Schmelzer, Jody),(ps) (Entered: 11/01/2013)
11/01/2013	<u>18</u>	Declaration of Deborah McCulloch filed by Defendants Deborah McCulloch, William Parker re: <u>15</u> Motion for Summary Judgment (Attachments: # <u>1</u> Exhibit 1000 Parrish Patient Requests dated 1–24–12 and 1–28–12, # <u>2</u> Exhibit 1001 3–1–12 letter to Judge Randa, # <u>3</u> Exhibit 1002 Parrish Client Rights Grievances dated 1–24–12 and 1–30–12, # <u>4</u> Exhibit 1003 3–27–12, Client Rights Facilitator Sarah Stuckey Decision, # <u>5</u> Exhibit 1004 SRSTC Policy #118–Processing and Delivery of patient mail) (Schmelzer, Jody),(ps) (Entered: 11/01/2013)
11/01/2013	<u>19</u>	Affidavit of Stephanie Armitage filed by Defendants Deborah McCulloch, William Parker re: <u>15</u> Motion for Summary Judgment (Attachments: # <u>1</u> Exhibit 1005 excerpt from Patient Handbook explaining Patient Accounts, # <u>2</u> Exhibit 1006 Parrish 12–24–11 to 12–30–11 account balance statement, # <u>3</u> Exhibit 1007 Parrish 1–1–12 to 1–6–12 account balance statement, # <u>4</u> Exhibit 1008 Policy #SR649) (Schmelzer, Jody),(ps) (Entered: 11/01/2013)
11/01/2013	<u>20</u>	Affidavit of Jody J. Schmelzer filed by Defendants Deborah McCulloch, William Parker re: <u>15</u> Motion for Summary Judgment (Attachments: # <u>1</u> Exhibit 1009 Decision and Order dated 12–7–11 re Parrish v. McCulloch, EDWI 11–C–419, # <u>2</u> Exhibit 1010 Decision and Order dated 2–8–12 re Parrish v. McCulloch, EDWI 11–C–419, # <u>3</u> Exhibit 1011 Motion Notice of Appeal dated 2–3–12 re Parrish v. McCulloch, EDWI 11–C–419, # <u>4</u> Exhibit 1012 Order decided 9–26–12 re Parrish v. McCulloch, USCA 12–1218) (Schmelzer, Jody),(ps) (Entered: 11/01/2013)
11/01/2013	<u>21</u>	Brief in Support of <u>15</u> Motion for Summary Judgment by Defendants Deborah McCulloch, William Parker (Attachments: # <u>1</u> Certificate of Service) (Schmelzer, Jody),(ps) (Entered: 11/01/2013)
11/01/2013		Set Deadlines as to <u>15</u> MOTION FOR SUMMARY JUDGMENT . [Pro Se Summary Judgment Procedure for Cases Assigned to Judge Crabb attached.] Plaintiff's Brief in Opposition due 12/2/2013. Defendants' Brief in Reply due 12/12/2013. (elc),(ps) (Entered: 11/01/2013)
11/06/2013	<u>22</u>	Cover Letter re: <u>23</u> Amended Affidavit of William Parker filed by Defendants Deborah McCulloch, William Parker. (Attachments: # <u>1</u> Certificate of Service) (Schmelzer, Jody),(ps) Modified on 11/7/2013. (lak) (Entered: 11/06/2013)
11/06/2013	<u>23</u>	Amended Affidavit of William Parker filed by Defendants Deborah McCulloch, William Parker re: <u>15</u> Motion for Summary Judgment (Schmelzer, Jody),(ps)

		Modified on 11/7/2013. (lak) (Entered: 11/06/2013)
11/07/2013	<u>24</u>	MOTION FOR SUMMARY JUDGMENT by Plaintiff Kenneth Parrish. (Attachments: # <u>1</u> Statement Required by Civil L.R. 56(a)(1)(A), # <u>2</u> Envelope) (jaf),(ps) (Entered: 11/07/2013)
11/07/2013	<u>25</u>	Affidavit of Kenneth Parrish filed by Plaintiff Kenneth Parrish re: <u>24</u> Motion for Summary Judgment (jaf),(ps) (Entered: 11/07/2013)
11/07/2013	<u>26</u>	Brief in Support of <u>24</u> Motion for Summary Judgment by Plaintiff Kenneth Parrish (Attachments: # <u>1</u> Exhibit A – Resident Statement (Sealed), # <u>2</u> Exhibit B – SRSTC Patient Payroll Calendar, # <u>3</u> Exhibit C – 1–4–12 Disbursement Request, # <u>4</u> Exhibit D – 6–1–12 NSF – Notification of Unsent Mail, # <u>5</u> Exhibit E – Appellate order denying petition for rehearing, # <u>6</u> Exhibit F – 3–1–12 Letter to Judge Randa from Defendant, # <u>7</u> Exhibit G – Court of Appeals order dismissing case, # <u>8</u> Exhibit H – Priority Mail Envelope) (jaf),(ps) Modified on 11/7/2013 (jaf). (Entered: 11/07/2013)
11/13/2013	<u>27</u>	Motion to Strike <u>23</u> Affidavit by Plaintiff Kenneth Parrish. (Attachments: # <u>1</u> Envelope) (jaf),(ps) (Entered: 11/13/2013)
11/25/2013		Set Briefing Deadlines as to plaintiff's <u>27</u> Motion to Strike <u>23</u> Affidavit. Defendants' Response due 12/2/2013. (jef),(ps) (Entered: 11/25/2013)
11/26/2013	<u>28</u>	ORDER denying plaintiff's <u>24</u> Motion for Summary Judgment. Signed by District Judge Barbara B. Crabb on 11/26/2013. (jef),(ps) (Entered: 11/26/2013)
12/02/2013	<u>29</u>	Brief in Opposition (Part 1) by Plaintiff Kenneth Parrish re: <u>15</u> Motion for Summary Judgment filed by Deborah McCulloch, William Parker (Attachments: # <u>1</u> Envelope) (jaf),(ps) (Entered: 12/02/2013)
12/02/2013	<u>30</u>	Brief in Opposition (Part 2) by Plaintiff Kenneth Parrish re: <u>15</u> Motion for Summary Judgment filed by Deborah McCulloch, William Parker (jaf),(ps) (Entered: 12/02/2013)
12/02/2013	<u>31</u>	Brief in Opposition by Defendants Deborah McCulloch, William Parker re: <u>27</u> Motion to Strike filed by Kenneth Parrish (Attachments: # <u>1</u> Certificate of Service) (Schmelzer, Jody),(ps) (Entered: 12/02/2013)
12/05/2013	<u>32</u>	Letter Stating No Reply to be Filed by Defendants Deborah McCulloch, William Parker re: <u>15</u> Motion for Summary Judgment filed by Deborah McCulloch, William Parker (Attachments: # <u>1</u> Certificate of Service) (Schmelzer, Jody),(ps) (Entered: 12/05/2013)
03/17/2014	<u>33</u>	ORDER granting <u>15</u> Motion for Summary Judgment; denying <u>27</u> Motion to Strike. The clerk of court is directed to enter judgment in favor of defendants and close this case. Signed by District Judge Barbara B. Crabb on 3/17/2014. (jef),(ps) (Entered: 03/17/2014)
03/17/2014	<u>34</u>	JUDGMENT entered in favor of Defendants Deborah McCulloch, William Parker dismissing this case. (PAO/jef). (jef),(ps) (Entered: 03/17/2014)
03/26/2014	<u>35</u>	NOTICE OF APPEAL by Plaintiff Kenneth Parrish as to <u>33</u> Order, <u>34</u> Judgment. In forma pauperis pending. No Docketing Statement filed. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 03/27/2014)
03/27/2014	<u>36</u>	Appeal Information Packet. (jef),(ps) (Entered: 03/27/2014)