

DIST.	OFF.	YR.	NUMBER	MO.	DAY	YEAR	J	N/S	O	PTF	DEF	23	\$	OTHER	NUMBER	DEM.	YR.	NUMBER
650	3	79	3081	02	15	79	3	530	1					NEAREST \$1,000	5005		79	3081

PLAINTIFFS

DEFENDANTS

LUNDY, NOAH HARRISON

~~THOMPSON, VINSON, WARDEN
TENNESSEE STATE PRISON.~~

ROSE, JIM, Warden

CLOSED

CAUSE

Habeas Corpus 28 U.S.C. §2254.

ATTORNEYS

PLAINTIFF

DEFENDANTS

Noah Harrison Lundy 1, 2, 3, 4,
Station A West Unit 33/1
Nashville, Tenn. 37203

William Leech 1, 2, 3, 4,
Attorney General
250 James Robertson Parkway
Nashville, Tenn. 37219

CHECK HERE IF CASE WAS FILED IN FORM 3A

FILING FEES PAID

STATISTICAL CARDS

DATE	RECEIPT NUMBER	C.D. NUMBER

CARD	DATE MAILED
JS-5	2/15/79
JS-6	2/21/79

Pen... 1 2 3 4

DATE	NR.	PROCEEDINGS
2/15/79		ENTERED: Ordered that Clerk will file attached petition for habeas corpus in forma pauperis and issue process. The State shall show cause within 20 days why a writ of habeas corpus should not issue and shall file a transcript of the proceedings in the trial court. Cy of this Order to USM for service on Vinson Thompson along with summons and cy of petition.
2/15/79		FILED: Petition for habeas corpus under 28 U.S.C. Section 2254. Cy of petition, summons and USM 285, and Order to USM for service.
2-27-79		FILED: Marshalls Services return, Served 2-20 79.
3/12/79		Filed: Notice of Filing of document for use of connection with case.
3/12/79		Filed: Motion for Summary judgement, in behalf of defendant.
3/12/79		Filed: Answer. The respondents respectfully submit that the petition for Writ of Habeas Corpus should be denied and the case dismissed.
3/21/79		Entered: Order in re motion for summary judgment: Denied. <u>Case Notice 2</u>
3/21/79		Entered: Memorandum of the Court... Under the charge as given, the limitation of cross examination of the victim, and the flagrant prosecutorial misconduct this court is compelled to find that petitioner did not receive a fair trial. Therefore the writ shall be granted and the defendant discharged from custody unless within ninety days the State of Tennessee initiates steps to grant defendant a new trial.
3/21/79		Entered: Order of the court...a writ of Habeas Corpus shall be granted and the defendant discharged from custody unless within ninety days the State of Tennessee initiates steps to try defendant a new.
4/12/79		Filed: Notice of Change of Parties. C/S
4/12/79		Filed: Notice of Appeal. C/S
4/12/79		Filed: Cost and Supersedeas Bond on appeal. C/S
4/12/79		Filed: Designation of record. C/S
4/12/79		Filed: Motion for Stay Pending appeal. C/S
4/17/79		Entered: Order in re motion for Stay pending appeal: Granted. <u>Case Notice NO. 3</u>
4/18/79		Filed: Motion to Suppress.
4/23/79		Entered: Order in re motion to Suppress: Denied. <u>Case Notice No.4</u>
5/14/79		Records on Appeal at Six Circuit.
7/2/79		Filed: Acknowledgement from 6CCA of their receipt of record on appeal assigned #79-1280.
6/30/80		It is ordered that the judgment of the district court be and it is hereby affirmed.
9/29/80		Motion for Bond or release of prisoner on his own recognizance. C/S
10-7-80		ORDER: Motion for bond or release of Prisoner on his own Recognizance marked "Denied". <u>Case Notice No. 5</u>

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF NOAH HARRISON LUNDY	DEFENDANT JIM ROSE	DOCKET NO. <u>79-3081</u> PAGE ___ OF ___ PAGES
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DATE	NR.	PROCEEDINGS
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12-9-80		ORDERED that the motion to recall the mandate be and hereby is granted. Order from the 6CCA. Copy to all parties.
1-27-81		Sent back to the 6CCA per their request this date. by phone conversation.
3-2-81		ORDER FROM THE SUPREME COURT: Order allowing Certiorari Filed Feb. 23, 1981. The petition herein for a writ of certiorari to the U.S. Court of Appeals for the Sixth Circuit is <u>granted</u> .
5-13-82		Information copy of order from 6CCA.
6-10-82		Mandate from 6CCA: Judgment of U.S.D.C. granting a writ of habeas corpus if vacated & this cause remanded to the D.C. for further proceedings in conformity w/ the opinoin of the U.S.SUPreme Court in Lundy v. Rose.
6-10-82		Record returned from 6CCA & case reopened per mandate.
6-14-82		ORDER: Pursuant ot he judgment of the Supreme Court of the USA and the order of the U.S. Court of Appeals for hte 6th Circuit, the judgment of this court granting a writ of habeas corpus shall be & is Vacated & the case is DISMISSED. <u>Case Notice No. 6</u>
12-18-89		LETTER from pitf advising of job discrimination in the prison. --dm in error.