

**U.S. District Court  
Southern District of Florida (Ft. Lauderdale)  
CIVIL DOCKET FOR CASE #: 0:11-cv-61143-JIC**

Long v. Stabile et al  
Assigned to: Judge James I. Cohn  
Referred to: Magistrate Judge Patrick A. White  
Cause: 42:1983 State Prisoner Civil Rights

Date Filed: 05/16/2011  
Jury Demand: None  
Nature of Suit: 550 Prisoner: Civil Rights  
Jurisdiction: Federal Question

**Plaintiff**

**Thomas T. Long**  
Prisoner ID: K07322

represented by **Thomas T. Long**  
K07322  
314 East Dania Beach Blvd #193  
Dania Beach, FL 33004-3028  
PRO SE

V.

**Defendant**

**Alfed Stabile**  
#3154

represented by **Daniel Lawrence Abbott**  
Weiss Serota Helfman  
200 E. Broward Blvd.  
Suite 1900  
Ft. Lauderdale, FL 33301  
954-763-4242  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Joanna Doerfel**

Weiss Serota Helfman Pastoriza Cole  
&Boniske  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**City of Hollywood**  
*TERMINATED: 08/02/2011*

Date Filed	#	Docket Text
05/16/2011	<u>1</u>	COMPLAINT under the Civil Rights Act against City of Hollywood, Alfred Stabile. Filing fee \$ 350.00. IFP Filed, filed by Thomas T. Long.(ar2) Modified event for MJSTAR on 6/20/2011 (dgj). (Entered: 05/17/2011)
05/16/2011	2	Judge Assignment to Judge James I. Cohn (ar2) (Entered: 05/17/2011)
05/16/2011	3	Clerks Notice of Magistrate Judge Assignment to Magistrate Judge Patrick A. White. Pursuant to Administrative Order 2003-19 for a ruling on all pre-trial, non-dispositive matters and for a Report and Recommendation on any dispositive matters. (ar2) (Entered: 05/17/2011)
05/16/2011	<u>4</u>	MOTION for Leave to Proceed in forma pauperis by Thomas T. Long. (ar2) (Entered: 05/17/2011)

05/20/2011	<u>5</u>	ORDER OF INSTRUCTIONS TO PRO SE CIVIL RIGHTS LITIGANTS. Signed by Magistrate Judge Patrick A. White on 5/20/2011. (tw) (Entered: 05/20/2011)
05/20/2011	<u>6</u>	ORDER PERMITTING PLAINTIFF TO PROCEED WITHOUT PREPAYMENT OF FILING FEE BUT ESTABLISHING DEBT TO CLERK OF \$350.00 and Granting <u>4</u> Motion for Leave to Proceed in forma pauperis. Signed by Magistrate Judge Patrick A. White on 5/20/2011. (tw) (Entered: 05/20/2011)
06/20/2011	<u>7</u>	REPORT AND RECOMMENDATIONS on 42 USC 1983 case re <u>1</u> Complaint filed by Thomas T. Long. Recommending dismissed pursuant to 28 U.S.C. 1915(e)(2)(B)(ii), for failure to state a claim. 2. The case may proceed against Officer Sabile for use of excessive force by an officer upon his arrest. 3. The claim of deprivation of property should be dismissed for failure to state a claim. Objections to RRdue by 7/8/2011. Signed by Magistrate Judge Patrick A. White on 6/16/2011. (tw) (Entered: 06/20/2011)
06/20/2011	<u>8</u>	ORDER RE SERVICE OF PROCESS REQUIRING PERSONAL SERVICE UPON AND INDIVIDUAL. The United States Marshal shall serve a copy of the complaint and appropriate summons upon:Alfed Stabile (3154),Law Enforcement Officer, Hollywood Police Department, 3250 Hollywood Boulevard, Hollywood, FL 33021. Signed by Magistrate Judge Patrick A. White on 6/20/2011. (tw) (Entered: 06/20/2011)
06/21/2011	<u>9</u>	Summons Issued as to Alfed Stabile. (br) (Entered: 06/21/2011)
07/05/2011	<u>10</u>	MOTION for Extension of Time to File Response/Reply as to <u>7</u> REPORT AND RECOMMENDATIONS on 42 USC 1983 case by Thomas T. Long. (ar2) (Entered: 07/06/2011)
07/06/2011	<u>11</u>	ACKNOWLEDGMENT OF SERVICE Executed as to <u>9</u> Summons Issued. (ar2) (Entered: 07/06/2011)
07/06/2011	<u>12</u>	ORDER granting <u>10</u> Motion for Extension of Time to File Response/Reply re <u>7</u> REPORT AND RECOMMENDATIONS on 42 USC 1983 case re <u>1</u> Complaint filed by Thomas T. Long Recommending dismissed pursuant to 28 U.S.C. 1915(e)(2)(B)(ii), for failure to state a claim.2. The case may proceed against Officer Sabile for use of excessive. Responses due by 8/5/2011. Signed by Judge James I. Cohn on 7/6/11. (tp) (Entered: 07/07/2011)
07/08/2011	<u>13</u>	MOTION TO DISMISS <u>1</u> Complaint/Petition FOR FAILURE TO STATE A CLAIM <i>Defendant's Motion To Dismiss The Complaint And Incorporated Supporting Memorandum Of Law</i> by Alfed Stabile. Responses due by 7/25/2011 (Abbott, Daniel) (Entered: 07/08/2011)
07/28/2011	<u>14</u>	OBJECTIONS/Reply to <u>7</u> Report and Recommendations by Thomas T. Long. (ar2) (Entered: 07/28/2011)
07/28/2011	<u>15</u>	MOTION for Subpoena of Records by Thomas T. Long. (ar2) (Entered: 07/28/2011)
08/02/2011	<u>16</u>	ORDER ADOPTING REPORT AND RECOMMENDATIONS for <u>1</u> Complaint/Petition filed by Thomas T. Long ; Dismissing claims against the City of Hollywood Police Department, City of Hollywood Fire Department, and Assistant State Attorney Taylor; City of Hollywood terminated. ; adopting Report and Recommendations re <u>7</u> Report and Recommendations.. Signed by Judge James I. Cohn on 8/2/2011. (ls) (Entered: 08/02/2011)
08/09/2011	17	ORDER denying <u>15</u> Motion to for Court to issue subpoenas. The plaintiff must make arrangements for the serving of subpoenas, and pay the fees. See Smith v Florida Dept of Corrections, 369 Fed. Appx 36, 2010 WL 774305 (CA 11(Fla)).. Signed by Magistrate Judge Patrick A. White on 8/9/2011. (cz) (Entered: 08/09/2011)
08/10/2011	<u>18</u>	MOTION for clarification <u>16</u> Order Adopting Report and Recommendations, Terminate Parties,,,, <i>Defendant's Motion For Clarification</i> by Alfed Stabile. Responses due by 8/29/2011 (Abbott, Daniel) (Entered: 08/10/2011)

08/11/2011	<u>19</u>	PAPERLESS ORDER granting <u>18</u> Motion for Clarification. The Court clarifies that the Motion to Dismiss was not addressed by the Court and remains pending before Judge White. Signed by Judge James I. Cohn on 8/11/2011. (prd) (Entered: 08/11/2011)
08/19/2011	<u>20</u>	REPORT AND RECOMMENDATIONS on 42 USC 1983 case re <u>13</u> MOTION TO DISMISS <u>1</u> Complaint/Petition FOR FAILURE TO STATE A CLAIM <i>Defendant's Motion To Dismiss The Complaint And Incorporated Supporting Memorandum Of Law</i> filed by Alfred Stabile. Recommending denying. Objections to RRdue by 9/6/2011. Signed by Magistrate Judge Patrick A. White on 8/19/2011. (tw) (Entered: 08/19/2011)
09/02/2011	<u>21</u>	OBJECTIONS to <u>20</u> Report and Recommendations <i>Defendant's Objection To Report Of Magistrate Judge And Incorporated Supporting Memorandum Of Law</i> by Alfred Stabile. (Abbott, Daniel) (Entered: 09/02/2011)
09/22/2011	<u>22</u>	ORDER ADOPTING REPORT AND RECOMMENDATIONS denying <u>13</u> Motion to Dismiss for Failure to State a Claim; re <u>20</u> Report and Recommendations. Defendnt Stabile shall file an Answer by 10/7/11. Signed by Judge James I. Cohn on 9/22/2011. (tp) (Entered: 09/22/2011)
09/22/2011		DE <u>22</u> Reset Answer Due Deadline: Alfred Stabile response due 10/7/2011. (tp) (Entered: 09/22/2011)
09/23/2011	<u>23</u>	<i>Defendant Alfred Stabile's Answer And Affirmative Defenses</i> ANSWER and Affirmative Defenses to Complaint by Alfred Stabile.(Abbott, Daniel) (Entered: 09/23/2011)
09/28/2011	<u>24</u>	MOTION for Discovery by Thomas T. Long. Responses due by 10/17/2011 (Address updated) (ar2) (Entered: 09/28/2011)
09/30/2011	<u>25</u>	Joint Status and SCHEDULING REPORT – <b>Rule 26(f)</b> by Thomas T. Long, Alfred Stabile (Abbott, Daniel) Modified text on 9/30/2011 (asl). (Entered: 09/30/2011)
09/30/2011	<u>26</u>	RESPONSE to Motion re <u>24</u> MOTION for Discovery <i>Defendant's Response To Plaintiff's Motion For Discovery</i> filed by Alfred Stabile. Replies due by 10/11/2011. (Abbott, Daniel) (Entered: 09/30/2011)
10/03/2011	<u>27</u>	ORDER denying <u>24</u> Motion for Discovery, discovery requests should be sent directly to the parties.. Signed by Magistrate Judge Patrick A. White on 10/3/2011. (cz) (Entered: 10/03/2011)
10/06/2011	<u>28</u>	SCHEDULING ORDER: Amended Pleadings due by 1/17/2012. Discovery due by 1/3/2012. Joinder of Parties due by 1/17/2012. Motions due by 3/6/2012.. Signed by Magistrate Judge Patrick A. White on 10/5/2011. (tw) (Entered: 10/06/2011)
10/07/2011	<u>29</u>	MOTION to Take Deposition from Thomas Long <i>Defendant's Motion For Order To Take Deposition Of Prisoner (Plaintiff)</i> by Alfred Stabile. (Abbott, Daniel) (Entered: 10/07/2011)
10/19/2011	<u>30</u>	ORDER granting <u>29</u> Motion to Take Deposition from plaintiff Thomas Long. This is an unrepresented plaintiff and the defendants shall govern themselves accordingly.. Signed by Magistrate Judge Patrick A. White on 10/19/2011. (cz) (Entered: 10/19/2011)
11/03/2011	<u>31</u>	NOTICE by Alfred Stabile <i>Notice Of Taking Deposition</i> (Abbott, Daniel) (Entered: 11/03/2011)
11/08/2011	<u>32</u>	NOTICE by Alfred Stabile <i>Notice Of Intent To Serve Subpoena For Production Of Documents Without Deposition</i> (Abbott, Daniel) (Entered: 11/08/2011)
11/16/2011	<u>33</u>	NOTICE of Filing Discovery: Subpoena or Command to Produce Documents Electronically Stored, Records or Depositions of Witnesses from Earlier Action by Thomas T. Long (ar2) (Entered: 11/16/2011)
11/29/2011	<u>34</u>	NOTICE by Alfred Stabile <i>Notice of Cancellation of Taking Deposition</i> (Abbott, Daniel) (Entered: 11/29/2011)

11/29/2011	<u>35</u>	NOTICE by Alfred Stabile re <u>32</u> Notice (Other) <i>Notice of Non-Objection</i> (Abbott, Daniel) (Entered: 11/29/2011)
12/27/2011	<u>36</u>	FIRST MOTION for Production of Documents by Thomas T. Long. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(yha) (Entered: 12/27/2011)
12/27/2011	<u>38</u>	Disclosure(s) by Thomas T. Long (jua) (Entered: 12/28/2011)
12/28/2011	37	ORDER dismissing <u>36</u> Motion to Produce, this is not a motion to compel, it is a discovery request that should be made directly to the defendants.. Signed by Magistrate Judge Patrick A. White on 12/28/2011. (cz) (Entered: 12/28/2011)
01/17/2012	<u>39</u>	MOTION to Order the Defendants to Reply to the Plaintiff's Discovery Requests or MOTION for Default Judgment by Thomas T. Long. (jua) (Entered: 01/17/2012)
01/18/2012	40	ORDER granting <u>39</u> for defendants to reply to plaintiff's discovery requests for file objections thereto; denying <u>39</u> Motion for Default Judgment.. Signed by Magistrate Judge Patrick A. White on 1/18/2012. (cz) (Entered: 01/18/2012)
01/26/2012	<u>41</u>	Defendant's MOTION for clarification 40 Order on Motion for Miscellaneous Relief, Order on Motion for Default Judgment by Alfred Stabile. Responses due by 2/13/2012 (Doerfel, Joanna) (Entered: 01/26/2012)
01/31/2012	42	ORDER granting <u>41</u> Motion for Clarification as follows: the remaining defendant in this case is Officer Stabile. For the plaintiff to obtain discovery from any non parties he must arrange for payment and service of subpoenas. The defendant's responses to discovery, those that have been requested must be timely filed. Summary judgment motions, if filed are due on or before March 6, 2012. If no dispositive motions are filed the case will be reported for trial at that time.. Signed by Magistrate Judge Patrick A. White on 1/30/2012. (cz) (Entered: 01/31/2012)
02/09/2012	<u>43</u>	MOTION for Continuance/Change of Address by Thomas T. Long. Responses due by 2/27/2012 (Address updated) (ar2) (Entered: 02/09/2012)
02/13/2012	44	ORDER granting <u>43</u> Motion to Continue, a thirty day extension for summary judgement is granted.. Signed by Magistrate Judge Patrick A. White on 2/13/2012. (cz) (Entered: 02/13/2012)
03/20/2012	<u>45</u>	NOTICE by Alfred Stabile <i>Defendant's Notice Of Filing Deposition Of Thomas Long, To Be Considered In Connection With Defendant's Motion For Summary Judgment And Supporting Memorandum Of Law</i> (Attachments: # <u>1</u> Deposition)(Abbott, Daniel) (Entered: 03/20/2012)
03/20/2012	<u>46</u>	Defendant's MOTION for Summary Judgment <i>And Supporting Memorandum Of Law</i> by Alfred Stabile. Responses due by 4/6/2012 (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Abbott, Daniel) (Entered: 03/20/2012)
03/23/2012	<u>47</u>	ORDER INSTRUCTING PRO SE PLAINTIFF CONCERNING RESPONSE to <u>46</u> Defendant's MOTION for Summary Judgment <i>And Supporting Memorandum Of Law</i> .(Responses due by 4/20/2012). Signed by Magistrate Judge Patrick A. White on 3/22/2012. (tw) (Entered: 03/23/2012)
03/23/2012	<u>48</u>	NOTICE by Alfred Stabile re <u>45</u> Notice (Other), <u>46</u> Defendant's MOTION for Summary Judgment <i>And Supporting Memorandum Of Law</i> <i>Defendant's Notice Of Returned U.S. Mail</i> (Abbott, Daniel) (Entered: 03/23/2012)
03/28/2012	<u>49</u>	MOTION for Extension of Time to Prepare for Trial; Motion for Change Tracking Time #2 of Case Management by Thomas T. Long. Responses due by 4/16/2012 (ral) (Entered: 03/28/2012)
03/29/2012	50	ORDER denying <u>49</u> Motion for Extension of Time, this case is now at the summary judgment stage.. Signed by Magistrate Judge Patrick A. White on 3/29/2012. (cz) (Entered: 03/29/2012)
03/30/2012	<u>51</u>	NOTICE by Alfred Stabile <i>Defendant's Notice Of Reserving Plaintiff With Another Copy Of Defendant's Motion For Summary Judgment And Defendant's Notice Of Filing Deposition</i> (Abbott, Daniel) (Entered: 03/30/2012)

04/11/2012	<u>52</u>	NOTICE of Change of Address by Thomas T. Long (address updated) (ail). (Entered: 04/12/2012)
05/16/2012	<u>53</u>	NOTICE of Filing Deposition Transcript by Thomas T. Long. NOTE: Unable to update address. Address is illegible. (ral) (Entered: 05/16/2012)