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U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:08-cv-02391-SAS

McKeown v. The State of New York et al
Assigned to: Judge Shira A. Scheindlin
Demand: \$9,999,000
Related Case: [1:07-cv-09599-DLC](#)
Case in other court: US Court of Appeals, Second Circuit, 10-04561
Cause: 42:1983 Civil Rights Act

Date Filed: 03/07/2008
Date Terminated: 08/08/2008
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Kevin McKeown

represented by **Kevin McKeown**
P.O. Box 616
New York, NY 10156
(212) 591-1022
PRO SE

V.

Defendant

The State of New York

represented by **Anthony John Tomari**
Office of the Attorney General, New York State
120 Broadway
24th Floor
New York, NY 10271
(212) 416-8553
Fax: (212) 416-6075
Email: anthony.tomari@ag.ny.gov

Defendant

The Office of Court Administration of the Unified Court System

represented by **Anthony John Tomari**
(See above for address)

Defendant

Thomas J. Cahill
in his official and individual capacity

represented by **Anthony John Tomari**
(See above for address)

Defendant

Sherry M. Cohen
in her official and individual capacity

represented by **Anthony John Tomari**
(See above for address)

Defendant

Nancy J. Barry
in her official and individual capacity

represented by **Anthony John Tomari**
(See above for address)

Defendant

Joseph M. Accetta
in his official and individual capacity

represented by **Anthony John Tomari**
(See above for address)

Defendant

Robert M. DiBella
in his official and individual capacity

represented by **Anthony John Tomari**
(See above for address)

Defendant

McQuade & McQuade, Esqs.

represented by **Joseph F. McQuade**
McQuade & McQuade
104 E. 40th Street
New York, NY 10016
(212)-599-3644
Fax: (212)-599-3116
Email: joe44nd@yahoo.com
LEAD ATTORNEY

Anthony John Tomari
(See above for address)

Defendant

Joseph F. McQuade
individually and as a partner of McQuade & McQuade

represented by **Joseph F. McQuade**
(See above for address)
LEAD ATTORNEY

Anthony John Tomari
(See above for address)

Defendant

John Does
1-20

represented by **Anthony John Tomari**
(See above for address)

Defendant

Jane Does
1-20

represented by **Anthony John Tomari**
(See above for address)

Defendant

The N.Y. State Commission on Judicial Conduct

represented by **Anthony John Tomari**
(See above for address)

Defendant

The N.Y.S. 1st Dept. Departmental Disciplinary Committee

represented by **Anthony John Tomari**
(See above for address)

Defendant

The N.Y.S. Grievance Committee, 9th Judicial District

represented by **Anthony John Tomari**
(See above for address)

Defendant

Gary L. Casella
in his official and individual capacity

represented by **Anthony John Tomari**
(See above for address)

Defendant

Francis A. Nicolai
in his official and individual capacity

represented by **Anthony John Tomari**
(See above for address)

Defendant

Anthony A. Scarpino
in his official and individual capacity

represented by **Anthony John Tomari**
(See above for address)

Defendant

Robert A. Korren

represented by **Anthony John Tomari**
(See above for address)

Defendant

Jeffrey A. McNamara

represented by **Anthony John Tomari**
(See above for address)

Defendant

Patricia Bave-Planell

represented by **Anthony John Tomari**
(See above for address)

Defendant

Giulini & Giulini, Esqs.

represented by **Anthony John Tomari**
(See above for address)

Defendant

Charles A. Giulini
individually and as a partner of Giulini and Giulini

represented by **Anthony John Tomari**
(See above for address)

Defendant

Christine Giulini
individually and as a partner of Giulini and Giulini

represented by **Anthony John Tomari**
(See above for address)

Defendant

Catherine M. Miklitsch

represented by **Anthony John Tomari**
(See above for address)

Defendant

Michael D. McQuade
individually and as partner of McQuade & McQuade

represented by **Anthony John Tomari**
(See above for address)

Counter Claimant

Kevin McKeown
TERMINATED: 05/12/2008

represented by **Kevin McKeown**
(See above for address)
PRO SE

V.

Counter Defendant

Joseph F. McQuade
individually and as a partner of McQuade & McQuade
TERMINATED: 05/12/2008

Counter Defendant

John Does

1-20

TERMINATED: 05/12/2008

Counter Defendant**Jane Does**

1-20

TERMINATED: 05/12/2008

Counter Defendant**The State of New York**

TERMINATED: 05/12/2008

Counter Defendant**The Office of Court Administration of the Unified Court System**

TERMINATED: 05/12/2008

Counter Defendant**Thomas J. Cahill**

in his official and individual capacity

TERMINATED: 05/12/2008

Counter Defendant**Sherry M. Cohen**

in her official and individual capacity

TERMINATED: 05/12/2008

Counter Defendant**Nancy J. Barry**

in her official and individual capacity

TERMINATED: 05/12/2008

Counter Defendant**Joseph M. Accetta**

in his official and individual capacity

TERMINATED: 05/12/2008

Counter Defendant**Robert M. DiBella**

in his official and individual capacity

TERMINATED: 05/12/2008

Counter Defendant**McQuade & McQuade, Esqs.**

TERMINATED: 05/12/2008

Date Filed	#	Docket Text
03/07/2008	1	COMPLAINT against Joseph F. McQuade, John Does, Jane Does, The State of New York, The Office of Court Administration of the Unified Court System, Thomas J. Cahill, Sherry M. Cohen, Nancy J. Barry, Joseph M. Accetta, Robert M. DiBella, McQuade & McQuade, Esqs.. (Filing Fee \$ 350.00, Receipt Number 644082)Document filed by Kevin McKeown.(laq) (Entered: 03/12/2008)

03/07/2008		SUMMONS ISSUED as to Joseph F. McQuade, John Does, Jane Does, The State of New York, The Office of Court Administration of the Unified Court System, Thomas J. Cahill, Sherry M. Cohen, Nancy J. Barry, Joseph M. Accetta, Robert M. DiBella, McQuade & McQuade, Esqs. (laq) (Entered: 03/12/2008)
03/07/2008		CASE REFERRED TO Judge Shira A. Scheindlin as possibly related to 1:07-cv-9599. (laq) (Entered: 03/12/2008)
03/17/2008		CASE ACCEPTED AS RELATED. Create association to 1:07-cv-09599-SAS. Notice of Assignment to follow. (laq) (Entered: 03/20/2008)
03/17/2008	2	NOTICE OF CASE ASSIGNMENT to Judge Shira A. Scheindlin. Judge Unassigned is no longer assigned to the case. (laq) (Entered: 03/20/2008)
03/17/2008		Magistrate Judge Douglas F. Eaton is so designated. (laq) (Entered: 03/20/2008)
03/20/2008		Mailed notice to the attorney(s) of record. (laq) (Entered: 03/20/2008)
04/01/2008	3	ORDER: If plaintiff does not effectuate service upon defendant or fails to show good cause as to why such service has not been effectuated by 7/11/08, the Court will dismiss the action pursuant to FRCP 4(m). (Service due by 7/11/2008.) (Signed by Judge Shira A. Scheindlin on 4/1/08) (db) (Entered: 04/01/2008)
04/21/2008	4	SUMMONS RETURNED EXECUTED Summons and Complaint, served. The State of New York served on 4/21/2008, answer due 5/12/2008. Service was accepted by Wilhemina Houston. Document filed by Kevin McKeown. (dle) (Entered: 04/24/2008)
04/21/2008	5	SUMMONS RETURNED EXECUTED. The Office of Court Administration of the Unified Court System served on 4/21/2008, answer due 5/12/2008. Service was accepted by Deputy Counsel Mr. Eisman. Document filed by Kevin McKeown. (dle) (Entered: 04/24/2008)
04/21/2008	6	SUMMONS RETURNED EXECUTED Summons and Complaint, served. Thomas J. Cahill served on 4/21/2008, answer due 5/12/2008. Service was accepted by Wilhemina Houston. Document filed by Kevin McKeown. (dle) (Entered: 04/24/2008)
04/21/2008	7	SUMMONS RETURNED EXECUTED Summons and Complaint, served. Sherry M. Cohen served on 4/21/2008, answer due 5/12/2008. Service was accepted by Wilhemina Houston. Document filed by Kevin McKeown. (dle) (Entered: 04/24/2008)
04/21/2008	8	SUMMONS RETURNED EXECUTED Summons and Complaint, served. Nancy J. Barry served on 4/21/2008, answer due 5/12/2008. Service was accepted by Wilhemina Houston. Document filed by Kevin McKeown. (dle) (Entered: 04/24/2008)
04/21/2008	9	SUMMONS RETURNED EXECUTED Summons and Complaint, served. Joseph M. Accetta served on 4/21/2008, answer due 5/12/2008. Service was accepted by Wilhemina Houston. Document filed by Kevin McKeown. (dle) (Entered: 04/24/2008)
04/21/2008	10	SUMMONS RETURNED EXECUTED Summons and Complaint, served. Robert M. DiBella served on 4/21/2008, answer due 5/12/2008. Service was accepted by Wilhemina Houston. Document filed by Kevin McKeown. (dle) (Entered: 04/24/2008)
04/21/2008	11	SUMMONS RETURNED EXECUTED Summons and Complaint, served. Joseph F. McQuade served on 4/21/2008, answer due 5/12/2008. Service was accepted by Jose Pagone, Law Clerk. Document filed by Kevin McKeown. (dle) (Entered: 04/24/2008)
04/21/2008	12	SUMMONS RETURNED EXECUTED Summons and Complaint, served. McQuade & McQuade, Esqs. served on 4/21/2008, answer due 5/12/2008. Service was accepted by Jose Pagone, Law Clerk. Document filed by Kevin McKeown. (dle) (Entered: 04/24/2008)
05/02/2008	13	ORDER: Plaintiff's request to consolidate this case with certain others is denied at this time. However, the deadline for any defendant in this case to answer or move to dismiss is hereby extended to May 30, 2008. Plaintiffs' deadline to respond is June 30, 2008. Defendants' reply, if any, shall be submitted no later than July 14, 2008. the parties are cautioned that the restrictions on page limits and exhibits detailed in the Court's Individual Rules and Procedures are in effect, and memoranda of law that do not comply with these Rules will be rejected. So Ordered (Signed by Judge Shira A. Scheindlin on 5/1/08) (js) (Entered: 05/02/2008)
05/12/2008	14	FILING ERROR - ELECTRONIC FILING IN NON-ECF CASE - ANSWER to Complaint., COUNTERCLAIM against all defendants. Document filed by Kevin McKeown. (McQuade, Joseph) Modified on 5/16/2008 (lb). (Entered: 05/12/2008)
05/12/2008	15	MOTION to Amend complaint purs to Rule 15(a) of the FRCP. Attached is affirmation in support. Document filed by Kevin McKeown.(dj) (Entered: 05/14/2008)
05/16/2008		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF CASE ERROR. Note to Attorney Joseph F. McQuade to MANUALLY RE-FILE Document ANSWER to Complaint, Document No. 14. This case is not ECF. (lb) (Counter Claimant Kevin McKeown, Counter Defendant Joseph F. McQuade, Counter Defendant John Does 1-20, Counter Defendant Jane Does 1-20, Counter Defendant The State of New York, Counter Defendant The Office of Court Administration of the Unified Court System, Counter Defendant Thomas J. Cahill, Counter Defendant Sherry M. Cohen, Counter Defendant Nancy J. Barry, Counter Defendant Joseph M. Accetta, Counter Defendant Robert M. DiBella and Counter Defendant McQuade & McQuade, Esqs) WERE TERMINATED - ADDED IN ERROR AS PER DOCUMENT # 14) Modified on 5/22/2008 (gf). Modified on 5/27/2008 (gf). (Entered: 05/16/2008)
05/19/2008	16	ANSWER to Complaint. Document filed by Joseph F. McQuade, McQuade & McQuade, Esqs.(rw) (Entered: 05/19/2008)

05/23/2008	17	ORDER granting 15 Motion to Amend/Correct. The Clerk of the court is directed to close this motion (document no. 15 on the docket sheet).(Signed by Judge Shira A. Scheindlin on 5/23/08) (mme) (Entered: 05/23/2008)
05/27/2008		MEMORANDUM TO THE DOCKET CLERK: An amended summons was issued on 5/27/08. (dle) (Entered: 05/28/2008)
05/27/2008	18	AMENDED COMPLAINT amending 1 Complaint, against The N.Y. State Commission on Judicial Conduct, The N.Y.S. 1st Dept. Departmental Disciplinary Committee, The N.Y.S. Grievance Committee, 9th Judicial District, Gary L. Casella, Francis A. Nicolai, Anthony A. Scarpino, Robert A. Korren, Jeffrey A. McNamara, Patricia Bave-Planell, Giuliani & Giuliani, Esqs., Charles A. Giuliani, Christine Giuliani, Catherine M. Miklitsch, Michael D. McQuade, Joseph F. McQuade, John Does, Jane Does, The State of New York, The Office of Court Administration of the Unified Court System, Thomas J. Cahill, Sherry M. Cohen, Nancy J. Barry, Joseph M. Accetta, Robert M. DiBella, McQuade & McQuade, Esqs..Document filed by Kevin McKeown. Related document: 1 Complaint, filed by Kevin McKeown.(dle) (Entered: 05/28/2008)
06/06/2008	19	MOTION to Dismiss the Amended Complaint. Document filed by Joseph F. McQuade, John Does, Jane Does, The State of New York, The Office of Court Administration of the Unified Court System, Thomas J. Cahill, Sherry M. Cohen, Nancy J. Barry, Joseph M. Accetta, The N.Y. State Commission on Judicial Conduct, The N.Y.S. 1st Dept. Departmental Disciplinary Committee, The N.Y.S. Grievance Committee, 9th Judicial District, Gary L. Casella, Francis A. Nicolai, Robert M. DiBella, Anthony A. Scarpino, Robert A. Korren, Jeffrey A. McNamara, Patricia Bave-Planell, Giuliani & Giuliani, Esqs., Charles A. Giuliani, Christine Giuliani, Catherine M. Miklitsch, Michael D. McQuade, McQuade & McQuade, Esqs..(db) (Entered: 06/06/2008)
06/06/2008	20	MEMORANDUM OF LAW in Support re: 19 MOTION to Dismiss. Document filed by Joseph F. McQuade, John Does, Jane Does, The State of New York, The Office of Court Administration of the Unified Court System, Thomas J. Cahill, Sherry M. Cohen, Nancy J. Barry, Joseph M. Accetta, The N.Y. State Commission on Judicial Conduct, The N.Y.S. 1st Dept. Departmental Disciplinary Committee, The N.Y.S. Grievance Committee, 9th Judicial District, Gary L. Casella, Francis A. Nicolai, Robert M. DiBella, Anthony A. Scarpino, Robert A. Korren, Jeffrey A. McNamara, Patricia Bave-Planell, Giuliani & Giuliani, Esqs., Charles A. Giuliani, Christine Giuliani, Catherine M. Miklitsch, Michael D. McQuade, McQuade & McQuade, Esqs. (db) (Entered: 06/06/2008)
06/06/2008	21	DECLARATION of Anthony J. Tomari in Support re: 19 MOTION to Dismiss. Document filed by Joseph F. McQuade, John Does, Jane Does, The State of New York, The Office of Court Administration of the Unified Court System, Thomas J. Cahill, Sherry M. Cohen, Nancy J. Barry, Joseph M. Accetta, The N.Y. State Commission on Judicial Conduct, The N.Y.S. 1st Dept. Departmental Disciplinary Committee, The N.Y.S. Grievance Committee, 9th Judicial District, Gary L. Casella, Francis A. Nicolai, Robert M. DiBella, Anthony A. Scarpino, Robert A. Korren, Jeffrey A. McNamara, Patricia Bave-Planell, Giuliani & Giuliani, Esqs., Charles A. Giuliani, Christine Giuliani, Catherine M. Miklitsch, Michael D. McQuade, McQuade & McQuade, Esqs. (db) (Entered: 06/06/2008)
06/09/2008	22	FILING ERROR - ELECTRONIC FILING IN NON-ECF CASE - FIRST MOTION to Dismiss. Document filed by Joseph F. McQuade.(McQuade, Joseph) Modified on 6/10/2008 (jar). (Entered: 06/09/2008)
06/09/2008	23	FILING ERROR - ELECTRONIC FILING IN NON-ECF CASE - FIRST MEMORANDUM OF LAW in Support re: 22 FIRST MOTION to Dismiss. Document filed by Joseph F. McQuade. (McQuade, Joseph) Modified on 6/10/2008 (jar). (Entered: 06/09/2008)
06/10/2008		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF CASE ERROR. Note to Attorney Joseph McQuade to MANUALLY RE-FILE Document Motion to Dismiss, Document No. 22. This case is not ECF. (jar) (Entered: 06/10/2008)
06/10/2008		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF CASE ERROR. Note to Attorney Joseph McQuade to MANUALLY RE-FILE Document Memorandum of Law in Support, Document No. 23. This case is not ECF. (jar) (Entered: 06/10/2008)
06/11/2008	24	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Kevin McKeown dated 6/9/08 re: Plaintiff requests permission to submit a Motion for Leave to File under Seal two documents currently in his possession. ENDORSEMENT: Plaintiff's request is granted. Plaintiff may file the two affirmations listed above under seal. (Signed by Judge Shira A. Scheindlin on 6/10/08) (tro) (Entered: 06/12/2008)
06/30/2008	25	ORDER ; that plaintiff has request leave to move for the Court to appoint pro bono counsel and for an order directing the United State Marshals Service to serve his Amended Complaint on certain defendants. Plaintiffs request is denied as this time. However, plaintiff is granted leave to file these motions after the determination of the currently outstanding motion to dismiss. (Signed by Judge Shira A. Scheindlin on 6/30/08) (pl) (Entered: 06/30/2008)
07/07/2008	26	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Kevin McKeown dated 7/7/08 re: Plaintiff requests a one week extension until 7/14/08 upon which to file and serve his opposition papers to the Attorney General's motion to dismiss. ENDORSEMENT: Request granted. Plaintiff may have until July 14 to file all responses. NO further adjournments. (Signed by Judge Shira A. Scheindlin on 7/7/08) (tro) (Entered: 07/07/2008)
07/14/2008	27	MEMORANDUM OF LAW in Opposition re: 19 MOTION to Dismiss. Document filed by Kevin McKeown. (cd) Modified on 7/24/2008 (jfe) As per DKT No. 29. (Entered: 07/17/2008)
07/14/2008	28	AFFIRMATION of Kevin McKeown in Opposition re: 19 MOTION to Dismiss. Document filed by Kevin McKeown. (cd) Modified on 7/24/2008 (jfe) As per DKT No. 29. (Entered: 07/17/2008)
07/24/2008	29	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Kevin McKeown dated 7/23/2008 re: Counsel respectfully request Your Honor to So Order the Docketing

		Clerk to correct the filing dates of 08cv2391 docket numbers 27 and 28 to indicate filing dates of July 14, 2008. ENDORSEMENT: Plaintiff's opposition Memorandum and Declaration are hereby deemed timely filed. So Ordered. (Signed by Judge Shira A. Scheindlin on 7/23/2008) (jfe) (Entered: 07/24/2008)
07/28/2008	30	REPLY AFFIRMATION of Kevin McKeown in Support re: 19 MOTION to Dismiss.. Document filed by Kevin McKeown. (McQuade, Joseph) (Entered: 07/28/2008)
07/29/2008	31	MEMORANDUM OF LAW in Support re: 19 MOTION to Dismiss. Document filed by Joseph F. McQuade, John Does, Jane Does, The State of New York, The Office of Court Administration of the Unified Court System, Thomas J. Cahill, Sherry M. Cohen, Nancy J. Barry, Joseph M. Accetta, The N.Y. State Commission on Judicial Conduct, The N.Y.S. 1st Dept. Departmental Disciplinary Committee, The N.Y.S. Grievance Committee, 9th Judicial District, Gary L. Casella, Francis A. Nicolai, Robert M. DiBella, Anthony A. Scarpino, Robert A. Korren, Jeffrey A. McNamara, Patricia Bave-Planell, Giuliani & Giuliani, Esqs., Charles A. Giuliani, Christine Giuliani, Catherine M. Miklitsch, Michael D. McQuade, McQuade & McQuade, Esqs.. (jmi) (Entered: 07/31/2008)
07/29/2008	32	REPLY MEMORANDUM OF LAW in Support re: 19 MOTION to Dismiss. Document filed by Joseph F. McQuade, John Does, Jane Does, The State of New York, The Office of Court Administration of the Unified Court System, Thomas J. Cahill, Sherry M. Cohen, Nancy J. Barry, Joseph M. Accetta, The N.Y. State Commission on Judicial Conduct, The N.Y.S. 1st Dept. Departmental Disciplinary Committee, The N.Y.S. Grievance Committee, 9th Judicial District, Gary L. Casella, Francis A. Nicolai, Robert M. DiBella, Anthony A. Scarpino, Robert A. Korren, Jeffrey A. McNamara, Patricia Bave-Planell, Giuliani & Giuliani, Esqs., Charles A. Giuliani, Christine Giuliani, Catherine M. Miklitsch, Michael D. McQuade, McQuade & McQuade, Esqs.. (jmi) (Entered: 07/31/2008)
08/08/2008	33	OPINION AND ORDER #96353 that for the reasons stated above, defendants' motions to dismiss are granted and certain claims and defendants are dismissed sua sponte. The Clerk of the Court is directed to close these and related motions (in case no. 07-11612, documents no. 41,46,39,51,65, and 66; and in case no. 08-2391, document no. 19) and these cases re: 19 MOTION to Dismiss, filed by Jeffrey A. McNamara, Patricia Bave-Planell, Christine Giuliani, Francis A. Nicolai, Charles A. Giuliani, The N.Y.S. Grievance Committee, 9th Judicial District, The N.Y. State Commission on Judicial Conduct, Nancy J. Barry, Anthony A. Scarpino, Robert M. DiBella, Michael D. McQuade, Robert A. Korren, Sherry M. Cohen, Gary L. Casella, Catherine M. Miklitsch, McQuade & McQuade, Esqs., The State of New York, The Office of Court Administration of the Unified Court System, John Does, Jane Does, Joseph F. McQuade, Giuliani & Giuliani, Esqs., The N.Y.S. 1st Dept. Departmental Disciplinary Committee, Thomas J. Cahill, Joseph M. Accetta. (Signed by Judge Shira A. Scheindlin on 8/8/08) Copies sent by chambers.(cd) Modified on 8/12/2008 (cd). (Entered: 08/11/2008)
08/25/2008	36	MOTION for Reconsideration of the Court's August 8, 2008 Order. Document filed by Kevin McKeown.(jmi) Modified on 9/11/2008 (jmi). (Entered: 09/11/2008)
08/27/2008	34	ORDER: For reasons further set forth in said Order, plaintiff's motion for reconsideration of the Court's 8/8/08 Opinion and Order is DENIED. (Signed by Judge Shira A. Scheindlin on 8/27/08) (db) (Entered: 08/27/2008)
08/28/2008	35	AMENDED ORDER: Plaintiff has not identified any material facts or law overlooked by the Court. Reconsideration is therefore denied. (Signed by Judge Shira A. Scheindlin on 8/28/2008) (jpo) (Entered: 08/28/2008)
08/30/2008	37	NOTICE OF APPEAL from 33 Memorandum & Opinion. Document filed by Kevin McKeown. Filing fee \$ 455.00, receipt number E 662197. Copies mailed to attorney(s) of record: Attorney General, NYS. (tp) (Entered: 09/15/2008)
09/15/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 37 Notice of Appeal. (tp) (Entered: 09/15/2008)
09/15/2008		Transmission of Notice of Appeal to the District Judge re: 37 Notice of Appeal. (tp) (Entered: 09/15/2008)
09/15/2008	38	Appeal Record Sent to USCA (Index). Notice that the Original index to the record on Appeal for 37 Notice of Appeal filed by Kevin McKeown 3 Copies of the index, Certified Clerk Certificate and Certified Docket Sheet were transmitted to the U.S. Court of Appeals. (nd) (nd). (Entered: 09/16/2008)
09/16/2008		Appeal Record Sent to USCA (File). Indexed record on Appeal Files for 37 Notice of Appeal filed by Kevin McKeown were transmitted to the U.S. Court of Appeals on 9/16/2008. (nd) (Entered: 09/16/2008)
10/29/2008	39	ORDER The Clerk of the Court is directed to close plaintiff's motion for reconsideration (Docket no. 36). This motion was resolved by order on August 28, 2008 (Docket no. 37).. (Signed by Judge Shira A. Scheindlin on 10/29/08) (mme) (Entered: 10/29/2008)
10/29/2008	40	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Kevin McKeown dated 10/28/08 re: Counsel requests leave to file an Order to Show Cause to reopen the case., ENDORSEMENT: For the reasons in the Courts Opinion and Order dated August 8, 2008 and because plaintiff has filed a Notice of Appeal of the final judgment in this case, plaintiff's request to reopen the case is denied. This Court does not have jurisdiction over this matter. (Signed by Judge Shira A. Scheindlin on 10/29/08) (mme) (Entered: 10/29/2008)
05/12/2009	41	ENDORSED LETTER addressed to Judge Shira A. Scheindlin from Kevin McKeown dated May 8, 2009, re:I respectfully request that the Honorable Court Vacate, Annul and/or Withdraw the District Court's Mandate in the above proceeding as provided to the United States Court of Appeals for the Second Circuit. Further, I ask that all other mandates for actions as previously related to be withdrawn and restored to "active" status. ENDORSEMENT: Request denied. Anderson v. State of NY involves retaliation for complaining about alleged corruption while McKeown v. State of NY is concerned with alleged corruption itself. Thus McKeown does not directly mirror Anderson and there is no relationship between the two cases. Furthermore, McKeown is on appeal thereby divesting this Court of any jurisdiction. SO ORDERED. (Signed by Judge Shira A. Scheindlin on 5/11/2009) (rw) (Entered: 05/12/2009)

08/12/2010	42	MANDATE of USCA (Certified Copy) as to 37 Notice of Appeal filed by Kevin McKeown USCA Case Number 08-4586-cv. Ordered, Adjudged and Decreed that the judgment of the District Court is AFFIRMED. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 08/11/2010. (nd) (Entered: 08/12/2010)
08/12/2010		Transmission of USCA Mandate/Order to the District Judge re: 42 USCA Mandate,. (nd) (Entered: 08/12/2010)
09/13/2010	43	MOTION to Reopen this action pursuant to Rule 60(b) and (d)(3) of the FRCP. Document filed by Kevin McKeown. (Attachments: # 1 part 2, # 2 part 3)(mro) (Entered: 09/16/2010)
09/29/2010	44	ORDER, that any defendant who wishes to oppose the Motion to Re-Open must file and serve opposition papers by October 15, 2010. If this Court receives opposition papers from any defendant(s), plaintiffs reply will be due by October 29, 2010. (Signed by Judge Shira A. Scheindlin on 9/29/10) (pl) (Entered: 09/29/2010)
10/15/2010	45	MEMORANDUM OF LAW in Opposition to Plaintiff's Motion pursuant to Rule 60(b). Document filed by the State Defendants. (mro) (Entered: 10/19/2010)
10/15/2010	46	UNSIGNED ORDER TO SHOW CAUSE filed by Kevin McKeown. (laq) (Entered: 10/19/2010)
10/19/2010	47	MEMORANDUM OF LAW in Opposition re: 43 MOTION to Reopen Case.. Document filed by Anthony A. Scarpino, The N.Y. State Commission on Judicial Conduct, The N.Y.S. 1st Dept. Departmental Disciplinary Committee, The N.Y.S. Grievance Committee, 9th Judicial District, The Office of Court Administration of the Unified Court System, The State of New York. (Tomari, Anthony) (Entered: 10/19/2010)
10/19/2010	48	NOTICE of FILING of October 18, 2010 Letter to the Court. Document filed by Kevin McKeown. (mbe) (Entered: 10/21/2010)
10/21/2010	49	MEMORANDUM OPINION AND ORDER: #99588 For the reasons stated above, McKeown's Motion to Re-Open is denied. Consequently, McKeown's subsequently filed Order to Show Cause requesting, inter alia, a federal monitor to oversee the day-to-day operations of the Office of Court Administration, the Departmental Disciplinary Committee and the New York State Commission on Judicial Conduct is moot. The Clerk of Court is directed to close the Motion to Re-Open (Document # 43). (Signed by Judge Shira A. Scheindlin on 10/21/2010) (jfe) Modified on 10/26/2010 (ajc). (Entered: 10/21/2010)
10/22/2010	50	NOTICE of OF FILING. Document filed by Kevin McKeown. (mbe) (Entered: 10/26/2010)
11/05/2010	51	NOTICE OF APPEAL from 49 Memorandum & Opinion. Document filed by Kevin McKeown. Filing fee \$ 455.00, receipt number E 920429. (tp) (Entered: 11/05/2010)
11/05/2010		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 51 Notice of Appeal. (tp) (Entered: 11/05/2010)
11/05/2010		Transmission of Notice of Appeal to the District Judge re: 51 Notice of Appeal. (tp) (Entered: 11/05/2010)
11/05/2010	52	Appeal Record Sent to USCA (Index). Notice that the Original index to the record on Appeal for 51 Notice of Appeal filed by Kevin McKeown 3 Copies of the index, Certified Clerk Certificate and Certified Docket Sheet were transmitted to the U.S. Court of Appeals. (tp) (tp). (Entered: 11/05/2010)
11/05/2010		Appeal Record Sent to USCA (File). Indexed record on Appeal Files for 51 Notice of Appeal filed by Kevin McKeown were transmitted to the U.S. Court of Appeals. (tp) (Entered: 11/05/2010)
11/10/2010		USCA Case Number 10-4561 from the US Court of Appeals, Second Circuit assigned to 51 Notice of Appeal filed by Kevin McKeown. (nd) (Entered: 11/10/2010)
02/17/2011		Appeal Record Returned. Indexed record on Appeal Files for Appeal Record Sent to USCA - File USCA Case Number 08-4586, returned from the U.S. Court of Appeals. (nd) (Entered: 03/24/2011)
11/30/2011	53	First Supplemental ROA Sent to USCA (Index). Notice that the Supplemental Index to the record on Appeal for 51 Notice of Appeal filed by Kevin McKeown USCA Case Number 10-4561, 3 Copies of the index, Certified Supplemental Clerk Certificate and Certified Docket Sheet were transmitted to the U.S. Court of Appeals. (tp) (nd). (Entered: 11/30/2011)
11/30/2011		First Supplemental ROA Sent to USCA (File). Supplemental Indexed record on Appeal Files for 51 Notice of Appeal filed by Kevin McKeown USCA Case Number 10-4561, were transmitted to the U.S. Court of Appeals. (tp) (Entered: 11/30/2011)
05/11/2012	56	AFFIRMATION of Kevin McKeown in Support of 43 MOTION to Reopen and restore. Document filed by Kevin McKeown. (js) Modified on 5/17/2012 (js). (Entered: 05/17/2012)
05/15/2012	54	MANDATE of USCA (Certified Copy) as to 51 Notice of Appeal filed by Kevin McKeown USCA Case Number 10-4561-cv. Ordered, Adjudged and Decreed that the order of the District Court is AFFIRMED. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 5/15/2012. (nd) (Entered: 05/15/2012)
05/15/2012		Transmission of USCA Mandate/Order to the District Judge re: 54 USCA Mandate,. (nd) (Entered: 05/15/2012)
05/16/2012	55	ORDER: Plaintiff has relentlessly argued against this Court's dismissal of his case and has appealed, unsuccessfully, to the Second Circuit which affirmed the dismissal. See McKeown v. New York State Comm 'n on Judicial Conduct, 377 Fed. App'x 121(2d Cir. 2010). If plaintiff perseveres in his attempt to garner this Court's attention with baseless "emergency" motions, I will be forced to consider the imposition of sanctions including monetary fines and possible injunctions. For now, plaintiff is hereby barred from filing

	any documents with regard to Case No. 08 Civ. 2391 (SAS) without first obtaining permission from a Magistrate Judge of this Court. Anything submitted without this permission will be summarily rejected, denied and returned to plaintiff. The Clerk of the Court is directed to close the instant motion once it is docketed. (Signed by Judge Shira A. Scheindlin on 5/16/2012) (pl) (Entered: 05/16/2012)
07/31/2012	Appeal Record Returned. Indexed record on Appeal Files for Appeal Record Sent to USCA - File USCA Case Number 10-4561, returned from the U.S. Court of Appeals. (nd) (Entered: 07/31/2012)
12/11/2012	Supplemental ROA Returned. Supplemental Indexed record on Appeal Files for 51 Notice of Appeal filed by Kevin McKeown USCA Case Number 10-4561, returned from the U.S. Court of Appeals. (nd) (Entered: 12/11/2012)

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