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**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:08-cv-04438-SAS**

McCormick v. The State Of New York et al  
Assigned to: Judge Shira A. Scheindlin  
Demand: \$180,000  
Related Case: [1:07-cv-09599-DLC](#)  
Cause: 42:1983 Civil Rights Act

Date Filed: 05/12/2008  
Date Terminated: 08/08/2008  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff****Suzanne McCormick**

represented by **Suzanne McCormick**  
PO Box 102  
Hastings on Hudson, NY 10706  
(914)693-6687  
PRO SE

V.

**Defendant****The State Of New York****Defendant****The Office of Court Administration of the Unified Court System****Defendant****The Appellate Division, First Department Departmental Disciplinary Committee****Defendant****Winthrop Rutherford, Jr****Defendant****David G Keyko****Defendant****John and Jane, 1-30 Does**

Date Filed	#	Docket Text
05/12/2008	1	COMPLAINT against The State Of New York, The Office of Court Administration of the Unified Court System, The Appellate Division, First Department Departmental Disciplinary Committee, Winthrop Rutherford, Jr, David G Keyko, John and Jane, 1-30 Does. (Filing Fee \$ 350.00, Receipt Number 650412)Document filed by Suzanne McCormick.(cd) (Entered: 05/13/2008)
05/12/2008		SUMMONS ISSUED as to The State Of New York, The Office of Court Administration of the Unified Court System, The Appellate Division, First Department Departmental Disciplinary Committee, Winthrop Rutherford, Jr, David G Keyko, John and Jane, 1-30 Does. (cd) (Entered: 05/13/2008)

05/12/2008		CASE REFERRED TO Judge Shira A. Scheindlin as possibly related to 1:07-9599. (cd). (Entered: 05/13/2008)
05/19/2008		CASE ACCEPTED AS RELATED. Create association to 1:07-cv-09599-SAS-AJP. Notice of Assignment to follow. (jeh) (Entered: 05/21/2008)
05/19/2008		Magistrate Judge Andrew J. Peck is so designated. (jeh) (Entered: 05/21/2008)
05/19/2008	2	NOTICE OF CASE ASSIGNMENT to Judge Shira A. Scheindlin. Judge Unassigned is no longer assigned to the case. (jeh) (Entered: 05/21/2008)
05/19/2008		Mailed notice to the attorney(s) of record. (jeh) (Entered: 05/21/2008)
06/23/2008	<a href="#">3</a>	ORDER: A review of the Court record's indicates that the Complaint in this action was filed on May 12, 2008, and that there is no proof of service of the Summons and Complaint on file. The Plaintiff is directed to have the summons and complaint promptly served on the defendant's. If service is not made upon the defendant's or plaintiff fails to show good cause why such service has not been effected by September 12, 2008, the Court will dismiss this action. (Signed by Judge Shira A. Scheindlin on 6/20/2008) (jfe) (Entered: 06/23/2008)
06/23/2008	<a href="#">4</a>	ORDER, that a view of the court records indicates that the complaint in this action was filed on 5/12/08, and that there is no proof of service of the summons and complaint on file, Rule 4(m) of the Federal Rules of Civil Procedure provides: If the service of summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon motion or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice, as to that defendant or direct that service be effected within a specified time; provided that if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period. The plaintiff is directed to have the summons and complaint promptly served on the defendants. The plaintiff is directed to have the summons and complaint promptly served on the defendants. If service is not made upon the defendants or plaintiff fails to show cause why such service has not been effected by 9/12/08, the Court will dismiss the action. The Pro Se Clerk at the U.S. courthouse, 500 Pearl Street, New York, New York 10007, telephone number (212) 805-0175, may be of assistance in connection with court procedures but cannot give legal advice. (Signed by Judge Shira A. Scheindlin on 6/23/08) (pl) (Entered: 06/24/2008)
08/08/2008	<a href="#">5</a>	OPINION AND ORDER #96353, that 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. 41,46,49,51,65,and 66: and in case no. 08-2391, document no. 19) and these cases. (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	8	AFFIRMATION of Suzanne McCormick for Reconsideration of the Court's re: <a href="#">5</a> Memorandum & Opinion. Document filed by Suzanne McCormick. (jmi) (Entered: 09/11/2008)
08/27/2008	<a href="#">6</a>	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)
09/05/2008	<a href="#">7</a>	AFFIDAVIT OF SERVICE of Letter served on Suzanne McCormick on September 5, 2008. Service was made by Mail. Document filed by David G Keyko. (Attachments: # <a href="#">1</a> Letter, # <a href="#">2</a> Letter)(Keyko, David) (Entered: 09/05/2008)

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