

# CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of a complaint, law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, law, except as provided by the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

### I. (a) PLAINTIFFS

Jane GRAHAM, and

V. Z. LAWTON

### DEFENDANTS

Harley LAPPIN, Warden, Defendant

Hon. Steve CARTER, Necessary Party

(b) County of Residence of First Listed Plaintiff Oklahoma County, OK  
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed \_\_\_\_\_  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

### (c) Attorneys (Firm Name, Address, and Telephone Number)

Harmon L. Taylor  
Lawyer and Counselor  
P.O. Box 516104  
Dallas, Texas 75251  
(214) 361-0401

Attorneys (If Known)

### II. BASIS OF JURISDICTION (Place an X in One Box Only)

- 1 U.S. Government Plaintiff
- 2 U.S. Government Defendant
- 3 Federal Question (U.S. Government Not a Party)
- 4 Diversity (Indicate Citizenship of Parties in Item III)

### III. CITIZENSHIP OF PRINCIPAL PARTY (For Diversity Cases Only)

- |   |                                       |                                       |   |                                       |   |
|---|---------------------------------------|---------------------------------------|---|---------------------------------------|---|
| Citizen of This State                   | <input checked="" type="checkbox"/> 1 | DEF x 1                               | Incorporated or Principal Place of Business In This State     | <input checked="" type="checkbox"/> 4 | DEF <input checked="" type="checkbox"/> 4 |
| Citizen of Another State                | <input checked="" type="checkbox"/> 2 | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | 5                                     | <input checked="" type="checkbox"/> 5     |
| Citizen or Subject of a Foreign Country | <input checked="" type="checkbox"/> 3 | <input checked="" type="checkbox"/> 3 | Foreign Nation  | <input checked="" type="checkbox"/> 6 | <input checked="" type="checkbox"/> 6     |

### IV. NATURE OF SUIT (Place an X in One Box Only)

CONTRACT	TORTS	FORFEITURE	PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<b>PERSONAL INJURY</b>	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 430 Bank s and Banking
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC	<b>PROPERTY RIGHTS</b>	<input type="checkbox"/> 430 Bank s and Banking	<input type="checkbox"/> 450 Commerce/ICC Rates/etc.
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Asbestos Personal Injury	<input type="checkbox"/> 630 Liquor Laws	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 150 150 Recovery of 150 Recovery of 150 Recovery of 150 Recovery of 150 Recovery of 150	<input type="checkbox"/> 330 Federal Employers Liability	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 810 Selective Service	<input type="checkbox"/> 850 Securities/Commodities/Exchange
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 650 Airline Regs.	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 875 Customer Challenge 12 USC 3410
<input type="checkbox"/> 153 Recovery of Overpayment of Veterans Benefits	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 660 Occupational Safety/Health	<b>SOCIAL SECURITY</b>	<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 892 Economic S892 Economic Stabilization Act
<input type="checkbox"/> 160 Stockholders Suits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 894 Energy Allocation Act
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<b>LABOR</b>	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 894 Energy Allocation Act	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 863 Docketing Fee (405(g))	<input type="checkbox"/> 895 Freedom of Information Act	<input type="checkbox"/> 900 900 900 App 900 App
<b>REAL PROPERTY</b>	<b>CIVIL RIGHTS</b>	<input type="checkbox"/> 720 720 Labor/Mgmt. Relationship & Disclosure Act	<input type="checkbox"/> 864 SSID Tide XVI	<input type="checkbox"/> 900 900 900 App 900 App	<input type="checkbox"/> 950 Constitutionality of State Statutes
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 730 730 Labor/Mgmt. Reporting & Disclosure Act	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 890 Other Statutory Actions
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 740 Railway Labor Act	<b>FEDERAL TAX SUITS</b>		
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)		
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 871 IRS Third Party 26 USC 7609		
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 440 Other Civil Rights				
<input type="checkbox"/> 290 All Other Real Property					
	<b>PRISONER PETITIONS</b>				
	<input type="checkbox"/> 510 Motions to Vacate Sentence				
	<input type="checkbox"/> 530 General Habeas Corpus				
	<input type="checkbox"/> 535 Death Penalty				
	<input type="checkbox"/> 540 Mandamus & Other				
	<input type="checkbox"/> 550 Civil Rights				
	<input type="checkbox"/> 555 Prison Condition				

### V. ORIGIN (PLACE AN X IN ONE BOX ONLY)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from another district (specify)
- 6 Multidistrict Litigation
- 7 Appeal to District Judge from Magistrate Judgment

### VI. CAUSE OF ACTION

(Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

Diversity controversy in Equity arises under the Constitution. Temporary and Permanent Injunction to stay execution; preservation of evidence.

### VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND N/A CHECK YES only if demanded in complaint: JURY DEMAND:  Yes  No

### VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

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**FOR OFFICE USE ONLY**

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

JS 44 Reverse (Rev. 12/96)

**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS-44**

Authority For Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service by law, except as provided by local rules of court. This form, approved by the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet complaint filed. The attorney filing a case should complete the form as follows:

**I. (a)(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first giving both name and title.

(b.) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the time of filing. In U.S. plaintiff cases, enter the name of the county of residence of the defendant is the location of the tract of land involved)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several in this section (see attachment) .

**II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdiction be in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States, are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an X in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

**III. Residence (citizenship) of Principal Parties.** This section of the JS-44 is to be completed if diversity of citizenship section for each principal party.

**IV. Nature of Suit.** Place an X in the appropriate box. If the nature of suit cannot be sufficiently to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit, select the most definitive.

**V. Origin.** Place an X in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed from State Court. (2) Petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred. (6) Check this box when this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

**VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause.

**VII. Requested in Complaint.** Class Action. Place an X in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

**VIII. Related Cases.** This section of the JS-44 is used to reference related cases. This section of the JS-44 is used to reference related cases and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.