

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:97-cv-02662-JR**

DUARTE-VESTAR v. THURMOND, et al  
Assigned to: Judge James Robertson  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 11/10/1997  
Date Terminated: 10/23/1998  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government  
Defendant

**Plaintiff**

**EVELIO DUARTE-VESTAR**

represented by **EVELIO DUARTE-VESTAR**  
R145355-A  
JACKSON CORRECTIONAL  
INSTITUTION  
6500 Harper Road  
P.O. Box 232  
Black River Falls, WI 54615-0233  
PRO SE

V.

**Defendant**

**A. JACY THURMOND**

*A individual acting under color of law  
TERMINATED: 05/13/1998*

represented by **David T. Smorodin**  
AMERICAN CHEMICAL SOCIETY  
Office of the Secretary & General  
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*TERMINATED: 05/13/1998  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

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ATTORNEY TO BE NOTICED*

**Defendant**

**EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION**

represented by **Jeffrey T. Rosen**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
11/10/1997	1	COMPLAINT filed by plaintiff EVELIO DUARTE-VESTAR (JMF) (Entered: 11/13/1997)
11/10/1997		SUMMONS (1) issued for defendant A. JACY THURMOND (JMF) (Entered: 11/13/1997)
11/10/1997	2	APPLICATION by plaintiff EVELIO DUARTE-VESTAR to proceed in forma pauperis (JMF) (Entered: 11/13/1997)
11/10/1997	3	TRUST FUND ACCOUNT filed by plaintiff EVELIO DUARTE-VESTAR (JMF) (Entered: 11/13/1997)
11/10/1997	4	ORDER by Judge Aubrey E. Robinson : granting motion to proceed in forma pauperis [2-1] and directing that monthly payments be made from the prisoner account of EVELIO DUARTE-VESTAR . (N) (JMF) (Entered: 11/13/1997)
01/08/1998		SUMMONS (2) issued to , and non-parties: U.S. Attorney and U.S. Attorney General. (JMF) (Entered: 01/09/1998)
01/21/1998	5	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 1/13/98 (JMF) (Entered: 01/22/1998)
02/11/1998	6	ATTORNEY APPEARANCE for federal defendant A. JACY THURMOND by David T. Smorodin (JMF) (Entered: 02/13/1998)
03/16/1998	7	MOTION filed by federal defendant A. JACY THURMOND to extend time to 04/30/98 to answer complaint [1-1] (lkn) (Entered: 03/17/1998)
03/18/1998	8	ORDER by Judge James Robertson : granting motion to extend time to 04/30/98 to answer complaint [1-1] [7-1] by A. JACY THURMOND ; Answer extended to 4/30/98 for A. JACY THURMOND (N) (jeb) (Entered: 03/18/1998)
04/30/1998	9	MOTION filed by federal defendant A. JACY THURMOND to dismiss complaint [1-1] (JMF) (Entered: 05/01/1998)
05/13/1998	10	MEMORANDUM AND ORDER by Judge James Robertson : denying motion to dismiss complaint [1-1] [9-1] by A. JACY THURMOND and the EQUAL EMPLOYMENT OPPORTUNITY COMMISSION; dismissing as to federal defendant A. JACY THURMOND and U.S. DEPARTMENT OF HOUSING sua sponte for failure to state a claim upon which a relief can be granted , and directing that the defendant U.S. Equal Employment Opportunity Commission to answer or respond to the complaint due by 6/5/98 (N) (N) (jeb) (Entered: 05/13/1998)
05/26/1998	11	STATEMENT filed by plaintiff EVELIO DUARTE-VESTAR , regarding: motions objections. (JMF) (Entered: 06/02/1998)
06/10/1998	12	ANSWER TO COMPLAINT [1-1] by federal defendant EEOC (JMF) Modified on 07/24/1998 (Entered: 06/17/1998)

06/24/1998	13	ORDER by Judge James Robertson : defendant's motion for summary judgment or alternatively to dismiss due 8/1/98 with no further extensions; (N) (jeb) (Entered: 06/24/1998)
07/20/1998	14	MOTION filed by federal defendant EEOC for summary judgment ; exhibits (6) (JMF) (Entered: 07/24/1998)
07/27/1998	15	ORDER by Judge James Robertson: response to defendant's motion for summary judgment is due by 8/24/98; if plaintiff neither responds nor moves for an extension of time by the due date, the Court may treat the motion as conceded and enter judgment in favor of the defendant. (N) (mlp) (Entered: 07/27/1998)
10/23/1998	16	MEMORANDUM OPINION by Judge James Robertson (N) (jeb) (Entered: 10/23/1998)
10/23/1998	17	ORDER by Judge James Robertson : granting motion for summary judgment [14-1] by EEOC; dismissing action with prejudice; denying any other pending motions as moot. (N) (jeb) (Entered: 10/23/1998)
12/21/1998	18	NOTICE OF CHANGE OF ADDRESS by EVELIO DUARTE-VESTAR . New address: Jackson Correctional Institute; 6500 Haiper Road, P.O. Box 232 Black River Falls, WI 54615-0233. (jf) (Entered: 12/29/1998)