

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:00-cv-02962-ESH**

RIVERA v. USA, et al
Assigned to: Judge Ellen S. Huvelle
Demand: \$9,999,000
Cause: 05:552 Freedom of Information Act

Date Filed: 12/12/2000
Date Terminated: 02/20/2002
Jury Demand: None
Nature of Suit: 550 Prisoner Petition:
Civil Rights (Other)
Jurisdiction: U.S. Government
Defendant

Plaintiff

VINCENT FAUSTINO RIVERA

represented by **VINCENT FAUSTINO RIVERA**
DC 518-548
FLORIDA STATE PRISON
7819 NW 228th Street
Raiford, FL 32026
PRO SE

V.

Defendant

UNITED STATES OF AMERICA

represented by **Eric Mark Jaffe**
U.S. ATTORNEY'S OFFICE
Judiciary Center Building
555 Fourth Street, NW
Washington, DC 20530
(202) 514-7153
Fax: 202-305-0955
TERMINATED: 07/17/2001
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robin M. Earnest
LAW OFFICE OF RON EARNEST
P.O. Box 102
Riverdale, MD 20738
(240) 463-4625
Fax: (240) 536-9194
Email: rearnes1@umd.edu
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

LOUIS FREEH
Director, FBI

represented by **Eric Mark Jaffe**
(See above for address)
TERMINATED: 07/17/2001
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robin M. Earnest
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**FEDERAL BUREAU OF
INVESTIGATION**

represented by **Eric Mark Jaffe**
(See above for address)
TERMINATED: 07/17/2001
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robin M. Earnest
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/12/2000	1	COMPLAINT filed by plaintiff VINCENT FAUSTINO RIVERA; attachments (cjp) (Entered: 12/17/2000)
12/12/2000		SUMMONS NOT ISSUED. (cjp) (Entered: 12/17/2000)
12/12/2000	2	APPLICATION by plaintiff VINCENT FAUSTINO RIVERA to proceed in forma pauperis (cjp) (Entered: 12/17/2000)
12/12/2000	3	ORDER by Judge Ricardo M. Urbina : directing prisoner plaintiff to provide a trust fund statement to the court by 1/11/01 for VINCENT FAUSTINO RIVERA . (N) (cjp) (Entered: 12/17/2000)
01/08/2001	4	MOTION filed by plaintiff VINCENT FAUSTINO RIVERA to extend time to file trust fund statement (glb) (Entered: 01/10/2001)
01/08/2001	5	MOTION filed by plaintiff VINCENT FAUSTINO RIVERA for appointment of counsel (glb) (Entered: 01/10/2001)
01/08/2001	6	MOTION filed by plaintiff VINCENT FAUSTINO RIVERA to correct clerical error, for judicial notice and to issue summons (cjp) (Entered: 01/14/2001)
02/08/2001	7	ORDER by Judge Henry H. Kennedy : granting motion to extend time to file trust fund statement [4-1] by VINCENT FAUSTINO RIVERA, denying motion to correct clerical error, for judicial notice and to issue summons [6-1] by VINCENT FAUSTINO RIVERA directing prisoner plaintiff to provide a trust fund statement to the court by 3/10/01 for VINCENT FAUSTINO RIVERA . (N) (cjp) (Entered: 02/08/2001)
03/06/2001	8	TRUST FUND ACCOUNT filed by plaintiff VINCENT FAUSTINO RIVERA pursuant to order [7-1], [7-2] . (glb) (Entered: 03/22/2001)

03/21/2001	9	ORDER by Judge Richard W. Roberts : granting motion to proceed in forma pauperis [2-1] by VINCENT FAUSTINO RIVERA directing that monthly payments be made from the prisoner account of VINCENT FAUSTINO RIVERA . (N) (glb) (Entered: 03/22/2001)
03/21/2001		CASE REASSIGNED to Judge Ellen S. Huvelle (tth) (Entered: 04/04/2001)
04/06/2001		SUMMONS (4) issued to federal party(s) federal defendant USA, federal defendant LOUIS FREEH, federal defendant FBI , and non-party: U.S. Attorney General. (tth) (Entered: 04/09/2001)
04/20/2001	10	MOTION filed by plaintiff VINCENT FAUSTINO RIVERA to issue summons , and to serve complaint (ag) (Entered: 05/03/2001)
04/30/2001	12	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 4/16/01 (tth) (Entered: 05/11/2001)
04/30/2001	13	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 4/13/01 (tth) (Entered: 05/11/2001)
05/10/2001	11	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 5/8/01 upon federal defendant FBI (ks) (Entered: 05/11/2001)
05/10/2001	14	MOTION filed by federal defendant USA, federal defendant LOUIS FREEH, federal defendant FBI to extend time to 05/29/01 to answer complaint [1-1] (tb) Modified on 05/11/2001 (Entered: 05/11/2001)
05/15/2001	15	ORDER by Judge Ellen S. Huvelle: granting motion to extend time to 05/29/01 to answer complaint [1-1] [14-1] by FBI, LOUIS FREEH, USA (N) (gdf) (Entered: 05/17/2001)
05/15/2001	16	ORDER by Judge Ellen S. Huvelle : denying motion to issue summons [10-1] by VINCENT FAUSTINO RIVERA, denying motion to serve complaint [10-2] by VINCENT FAUSTINO RIVERA (N) (gdf) (Entered: 05/17/2001)
05/29/2001	17	MOTION filed by federal defendant USA, federal defendant LOUIS FREEH, federal defendant FBI to extend time to 6/5/01 to answer complaint [1-1] or otherwise respond. (kmk) (Entered: 05/30/2001)
05/31/2001	18	ORDER by Judge Ellen S. Huvelle: granting motion to extend time to 6/5/01 to answer complaint [1-1] or otherwise respond. [17-1] by FBI, LOUIS FREEH, USA (N) (gdf) (Entered: 06/01/2001)
06/05/2001	19	MOTION filed by plaintiff VINCENT FAUSTINO RIVERA for appointment of counsel (ag) (Entered: 06/06/2001)
06/05/2001	20	MOTION filed by plaintiff VINCENT FAUSTINO RIVERA for leave to amend complaint (ag) (Entered: 06/06/2001)
06/05/2001	21	MOTION filed by plaintiff VINCENT FAUSTINO RIVERA to compel discovery (ag) (Entered: 06/06/2001)
06/05/2001	22	MOTION filed by federal defendant USA, federal defendant LOUIS FREEH, federal defendant FBI to dismiss complaint [1-1] with prejudice ; Exhibits (13) (ag) (Entered: 06/06/2001)

06/07/2001	23	ORDER by Judge Ellen S. Huvelle: that Plaintiff shall respond to the Defendants' motion to dismiss on or before July 9, 2001. If Plaintiff does not respond by that date, the Court may treat the motion as conceded and enter judgment in favor of the Defendants (N) (gdf) (Entered: 06/07/2001)
06/07/2001	25	RETURN OF SERVICE/AFFIDAVIT (1) of summons and complaint executed on 5/30/01 upon federal defendant LOUIS FREEH (ag) (Entered: 06/11/2001)
06/11/2001	24	ORDER by Judge Ellen S. Huvelle: denying motion to compel discovery [21-1] by VINCENT FAUSTINO RIVERA, granting motion for leave to amend complaint [20-1] by VINCENT FAUSTINO RIVERA, denying motion for appointment of counsel [19-1] by VINCENT FAUSTINO RIVERA, denying motion for appointment of counsel [5-1] by VINCENT FAUSTINO RIVERA (N) (gdf) (Entered: 06/11/2001)
06/18/2001	27	MOTION filed by plaintiff VINCENT FAUSTINO RIVERA to strike defendants motion to dismiss complaint [1-1] with prejudice [22-1] (bjsp) (Entered: 06/22/2001)
06/18/2001	30	RESPONSE by plaintiff VINCENT FAUSTINO RIVERA to motion to dismiss complaint [1-1] with prejudice [22-1] by federal defendants (cjp) (Entered: 07/11/2001)
06/18/2001	31	CROSS MOTIONS by plaintiff VINCENT FAUSTINO RIVERA for summary judgment (cjp) (Entered: 07/11/2001)
06/18/2001	32	NOTICE OF INTERLOCUTORY APPEAL by plaintiff VINCENT FAUSTINO RIVERA from order [15-1] , entered on: 5/15/01; NO FEES PAID IFP; Copies mailed to plaintiff and defendant (cjp) (Entered: 07/11/2001)
06/19/2001	26	MOTION filed by plaintiff VINCENT FAUSTINO RIVERA for order granting plaintiffs request for recusal of Judge (bjsp) (Entered: 06/22/2001)
07/02/2001	29	NOTICE OF INTERLOCUTORY APPEAL by plaintiff VINCENT FAUSTINO RIVERA from order [24-1] , entered on: 6/11/01; NO FEES PAID IFP; Copies mailed to plaintiff and defendant (cjp) (Entered: 07/09/2001)
07/05/2001	28	MOTION filed by plaintiff VINCENT FAUSTINO RIVERA to disqualify appearance of defendant's counsel (ag) (Entered: 07/06/2001)
07/09/2001		TRANSMITTED PRELIMINARY RECORD on appeal [29-1] by VINCENT FAUSTINO RIVERA to U.S. Court of Appeals (cjp) (Entered: 07/09/2001)
07/09/2001	33	RESPONSE by federal defendant USA, federal defendant LOUIS FREEH, federal defendant FBI in opposition to motion to disqualify appearance of defendant's counsel [28-1] by VINCENT FAUSTINO RIVERA, motion to strike defendants motion to dismiss complaint [1-1] with prejudice [22-1] [27-1] by VINCENT FAUSTINO RIVERA . (cjp) (Entered: 07/12/2001)
07/11/2001		TRANSMITTED PRELIMINARY RECORD on appeal [32-1] by VINCENT FAUSTINO RIVERA to U.S. Court of Appeals (cjp) (Entered: 07/11/2001)
07/16/2001	34	RESPONSE by federal defendants USA, LOUIS FREEH, and FBI in opposition to motion to disqualify appearance of defendant's counsel [28-1] by VINCENT FAUSTINO RIVERA . (ag) (Entered: 07/17/2001)

07/17/2001	35	SUBSTITUTION OF COUNSEL for federal defendants USA, LOUIS FREEH, and FBI, substituting Robin M. Earnest for attorney Eric Mark Jaffe (ag) (Entered: 07/18/2001)
07/17/2001	36	REPLY by federal defendants USA, LOUIS FREEH, and FBI to response to motion to dismiss complaint [1-1] with prejudice [22-1] by federal defendants. (ag) (Entered: 07/18/2001)
07/17/2001	37	RESPONSE by federal defendants USA, LOUIS FREEH, and FBI in opposition to cross motion for summary judgment [31-1] by VINCENT FAUSTINO RIVERA . (ag) (Entered: 07/18/2001)
07/19/2001	38	ORDER by Judge Ellen S. Huvelle : denying motion for order granting plaintiffs request for recusal of Judge [26-1] by VINCENT FAUSTINO RIVERA, denying motion to strike defendants motion to dismiss complaint [1-1] with prejudice [22-1] [27-1] by VINCENT FAUSTINO RIVERA; that plaintiff shall serve all future filing on the Assistant United States Attorney handling this matter at the United States Attorney's Office, 555 Fourth Street, N.W., 10th Floor, Washington, DC 20001 (N) (gdf) (Entered: 07/19/2001)
07/19/2001	39	ORDER by Judge Ellen S. Huvelle: denying motion to disqualify appearance of defendant's counsel [28-1] by VINCENT FAUSTINO RIVERA (N) (see order for detail) (gdf) (Entered: 07/19/2001)
07/23/2001		USCA # 01 5234 assigned for appeal [29-1] by VINCENT FAUSTINO RIVERA (bjsp) (Entered: 07/24/2001)
07/31/2001	40	MOTION filed by plaintiff VINCENT FAUSTINO RIVERA for more definite statement , and/or to clarify of reasons opposing to defendants' motion and/or cross-motion for summary judgment (ag) (Entered: 08/01/2001)
08/30/2001	41	COPY of Order filed in USCA dated 8/29/01, referencing appeal [29-1] , directing partial filing fee. USCA # 01-5234 (cjp) (Entered: 08/31/2001)
11/16/2001	42	CERTIFIED COPY of order filed in USCA dated 8/29/01, on appeal [29-1] , dismissing appeal . USCA # 01-5234 (bcs) (Entered: 11/19/2001)
02/20/2002	43	MEMORANDUM OPINION by Judge Ellen S. Huvelle (N) (gdf) (Entered: 02/20/2002)
02/20/2002	44	ORDER by Judge Ellen S. Huvelle : denying cross motion for summary judgment [31-1] by VINCENT FAUSTINO RIVERA, granting motion to dismiss complaint [1-1] with prejudice [22-1] by federal defendantss dismissing complaint [1-1] with prejudice (N) (gdf) (Entered: 02/20/2002)
02/20/2002	45	ORDER by Judge Ellen S. Huvelle : striking motion for more definite statement [40-1] by VINCENT FAUSTINO RIVERA, striking motion to clarify of reasons opposing to defendants' motion and/or cross-motion for summary judgment [40-2] by VINCENT FAUSTINO RIVERA (N) (gdf) (Entered: 02/20/2002)
03/06/2002	46	MOTION filed by plaintiff VINCENT FAUSTINO RIVERA for relief from order striking motion for more definite statement (nmr) Modified on 04/24/2002 (Entered: 03/07/2002)

03/07/2002	47	MOTION filed by plaintiff VINCENT FAUSTINO RIVERA to alter or amend order dismissing complaint [1-1] with prejudice [44-1] ; Attachments (2) (nmr) Modified on 03/08/2002 (Entered: 03/08/2002)
03/07/2002	48	MOTION filed by plaintiff VINCENT FAUSTINO RIVERA to review certification (nmr) (Entered: 03/08/2002)
03/07/2002	49	***ENTERED IN ERROR*** MOTION filed by plaintiff VINCENT FAUSTINO RIVERA for relief from judgment , and/or to renew time to appeal ; Attachments (2) (nmr) Modified on 03/11/2002 (Entered: 03/08/2002)
03/11/2002	50	ORDER by Judge Ellen S. Huvelle : striking motion for relief from order striking motion for more definite statement [46-1] by VINCENT FAUSTINO RIVERA (N) (gdf) (Entered: 03/11/2002)
04/04/2002	51	ORDER by Judge Ellen S. Huvelle : striking motion to review certification [48-1] by VINCENT FAUSTINO RIVERA, striking motion to alter or amend order dismissing [1-1] with prejudice [44-1] [47-1] by VINCENT FAUSTINO RIVERA (N) (jf) (Entered: 04/05/2002)
04/15/2002	52	NOTICE OF APPEAL by plaintiff VINCENT FAUSTINO RIVERA from order [50-1] , entered on: 3/11/02; No fees paid; Copies mailed to all parties. (nmr) Modified on 04/17/2002 (Entered: 04/17/2002)
04/17/2002		TRANSMITTED PRELIMINARY RECORD on appeal [52-1] by VINCENT FAUSTINO RIVERA to U.S. Court of Appeals (nmr) (Entered: 04/17/2002)
04/23/2002		USCA # 02-5135 assigned for appeal [52-1] by VINCENT FAUSTINO RIVERA (nmr) (Entered: 04/24/2002)
04/23/2002	53	NOTICE OF APPEAL by plaintiff VINCENT FAUSTINO RIVERA from order [51-1], entered on: 4/4/02; No fees paid; Copies mailed to all parties. (nmr) Modified on 04/24/2002 (Entered: 04/24/2002)
04/24/2002		TRANSMITTED PRELIMINARY RECORD on appeal [53-1] by VINCENT FAUSTINO RIVERA to U.S. Court of Appeals (nmr) (Entered: 04/24/2002)
04/25/2002		USCA # 02-5140 assigned for appeal [53-1] by VINCENT FAUSTINO RIVERA (mpt) (Entered: 04/26/2002)
08/22/2003	54	CERTIFIED COPY of order filed in USCA dated 3/4/03, on appeal [53-1], appeal [52-1], dismissing appeal for lack of prosecution and dismissing the motions for summary affirmance and appointment of counsel as moot. USCA # 02-5135 & 02-5140 (cp) (Entered: 08/27/2003)
10/12/2004	55	MOTION to Reopen Case and/or motion for relief from the judgment by VINCENT FAUSTINO RIVERA; attachments (bjsp) (Entered: 10/15/2004)
10/21/2004		Minute ORDER denying 55 Motion to Reopen Case . Signed by Judge Ellen S. Huvelle on 10/21/04. (BL,) (Entered: 10/21/2004)