

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:00-cv-01612-TPJ**

BEHLER v. BOP, et al
Assigned to: Judge Thomas Penfield Jackson
Demand: \$201,000
Cause: 05:552 Freedom of Information Act

Date Filed: 07/07/2000
Date Terminated: 08/10/2001
Jury Demand: None
Nature of Suit: 550 Prisoner Petition:
Civil Rights (Other)
Jurisdiction: U.S. Government
Defendant

Plaintiff

JOHN D. BEHLER

represented by **JOHN D. BEHLER**
R13464-047 Unit 2
ROCHESTER FEDERAL MEDICAL
CENTER
PMB 4000
Rochester, MN 55903-4000
PRO SE

V.

Defendant

BUREAU OF PRISONS

represented by **Brian J. Sonfield**
US DEPARTMENT OF TREASURY
Office of the General Counsel
1500 Pennsylvania Avenue, NW
Washington, DC 20220
(202) 622-0450
Email: brian.sonfield@treasury.gov
(Inactive)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

RANDY J. DAVIS
Warden at FPC Yankton

represented by **Brian J. Sonfield**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

KELLY SNYDER
Lieutenant

represented by **Brian J. Sonfield**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

JOHN MAGNUSON
Officer

represented by **Brian J. Sonfield**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

W. MORRIS
Lieutenant

represented by **Brian J. Sonfield**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

ED HUMPHREY
Federal Bureau of Investigation
Special Agent

represented by **Brian J. Sonfield**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

CLAYTON EDWARD MOORE

represented by **William Edward Findler**
2101 Wilson Boulevard
Suite 950
Arlington, VA 22201
(703) 276-0114
Fax: (703) 522-9107
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

JOANIE MOORE

represented by **William Edward Findler**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/07/2000	1	COMPLAINT filed by plaintiff JOHN T. BEHLER; declarations (2); exhibits 23 through 103. (jeb) (Entered: 07/13/2000)
07/07/2000		SUMMONS (8) issued to federal party(s) federal defendant BOP, federal defendant RANDY J. DAVIS, federal defendant KELLY SNYDER, federal defendant JOHN MAGNUSON, federal defendant W. MORRIS, federal defendant ED HUMPHREY , and non-parties: U.S. Attorney and U.S. Attorney General. (jeb) (Entered: 07/13/2000)
07/07/2000		SUMMONS (2) issued for defendant CLAYTON EDWARD MOORE, defendant JOANIE MOORE (jeb) (Entered: 07/13/2000)
07/07/2000	2	APPLICATION by plaintiff JOHN T. BEHLER to proceed in forma pauperis (jeb) (Entered: 07/13/2000)
07/07/2000	3	TRUST FUND ACCOUNT filed by plaintiff JOHN T. BEHLER pursuant to order of 7/7/00. (jeb) (Entered: 07/13/2000)

07/07/2000	4	ORDER by Judge Henry H. Kennedy : granting motion to proceed in forma pauperis [2-1] by JOHN T. BEHLER directing that monthly payments be made from the prisoner account of JOHN T. BEHLER . (N) (jeb) Modified on 07/13/2000 (Entered: 07/13/2000)
10/06/2000		SUMMONS (2) REISSUED for defendant CLAYTON EDWARD MOORE, defendant JOANIE MOORE . (jf) (Entered: 10/10/2000)
10/06/2000		SUMMONS REISSUED for federal defendant BOP, federal defendant RANDY J. DAVIS, federal defendant KELLY SNYDER, federal defendant JOHN MAGNUSON, federal defendant W. MORRIS, federal defendant ED HUMPHREY and non-parties, USA and United States Attorney General . (jf) (Entered: 10/10/2000)
10/24/2000	5	RETURN OF SERVICE/AFFIDAVIT of summons and complaint unexecuted as to federal defendant JOHN MAGNUSON (tth) (Entered: 10/25/2000)
10/24/2000	6	RETURN OF SERVICE/AFFIDAVIT of summons and complaint unexecuted as to federal defendant KELLY SNYDER (tth) (Entered: 10/25/2000)
10/24/2000	7	RETURN OF SERVICE/AFFIDAVIT of summons and complaint unexecuted as to federal defendant W. MORRIS (tth) (Entered: 10/25/2000)
10/24/2000	8	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 10/24/00 (jf) (Entered: 10/25/2000)
10/24/2000	41	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 10/24/00 upon federal defendant BOP (tth) (Entered: 02/12/2001)
10/25/2000	9	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 10/13/00 upon federal defendant JOHN MAGNUSON (jf) (Entered: 10/26/2000)
10/25/2000	10	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 10/19/00 (jf) (Entered: 10/26/2000)
10/31/2000	12	RETURN OF SERVICE/AFFIDAVIT of summons and complaint unexecuted as to federal defendant ED HUMPHREY (tth) (Entered: 11/02/2000)
10/31/2000	13	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on (No Date) upon federal defendant RANDY J. DAVIS (tth) (Entered: 11/02/2000)
10/31/2000	14	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 10/20/00 upon federal defendant RANDY J. DAVIS; Return Receipt Card Attached. (tth) (Entered: 11/02/2000)
10/31/2000	15	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 10/23/00 upon defendant JOANIE MOORE; Return Receipt Card attached. (tth) (Entered: 11/02/2000)
10/31/2000	16	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 10/23/00 upon defendant CLAYTON EDWARD MOORE; Return Receipt Card Attached. (tth) (Entered: 11/02/2000)

11/06/2000	17	ORDER by Judge Thomas P. Jackson : denying motion of plaintiff for extension of time to serve defendants. (N) (mon) (Entered: 11/14/2000)
11/17/2000	17	MOTION filed by defendant CLAYTON EDWARD MOORE, defendant JOANIE MOORE to dismiss for lack of personal jurisdiction by defendants CLAYTON EDWARD MOORE and JOANIE MOORE (cas) (Entered: 11/21/2000)
11/17/2000	19	STATEMENT filed by defendant CLAYTON EDWARD MOORE, defendant JOANIE MOORE, regarding: Notification of Addresses of Dendants Moore. (tth) (Entered: 11/24/2000)
11/22/2000	18	MOTION filed by federal defendants BOP, RANDY J. DAVIS, KELLY SNYDER, JOHN MAGNUSON, W. MORRIS, and ED HUMPHREY to extend time to 1/8/01 to answer complaint [1-1] (ag) (Entered: 11/24/2000)
11/22/2000	20	ATTORNEY APPEARANCE for federal defendant BOP, federal defendant W. MORRIS by Brian J. Sonfield. (tth) (Entered: 11/24/2000)
11/27/2000	21	ORDER by Judge Thomas P. Jackson :directing plaintiff to respond to defendant's motion to dismiss by 12/18/00, failing the court may treat the motion as conceded. response to dispositive motions due 12/18/00 ; (N) (rew) (Entered: 11/28/2000)
11/28/2000	22	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 1/8/01 to answer complaint [1-1] [18-1] by federal defendantsssss ; Answer extended to 1/8/01 for JOANIE MOORE, for CLAYTON EDWARD MOORE, for ED HUMPHREY, for W. MORRIS, for JOHN MAGNUSON, for KELLY SNYDER, for RANDY J. DAVIS, for BOP (N) (rew) (Entered: 11/28/2000)
12/12/2000	23	RESPONSE by plaintiff JOHN BEHLER in opposition to motion to dismiss for lack of personal jurisdiction by defendants CLAYTON EDWARD MOORE and JOANIE MOORE [17-1] by JOANIE MOORE, CLAYTON EDWARD MOORE; attachment (1) (cjp) Modified on 12/13/2000 (Entered: 12/13/2000)
12/12/2000	24	MOTION filed by plaintiff JOHN D. BEHLER for temporary restraining order (cjp) (Entered: 12/13/2000)
12/13/2000	25	REPLY by defendants CLAYTON EDWARD MOORE, and JOANIE MOORE in further support of motion to dismiss for lack of personal jurisdiction by defendants CLAYTON EDWARD MOORE and JOANIE MOORE [17-1] (ag) (Entered: 12/14/2000)
12/13/2000	26	MOTION filed by defendants CLAYTON EDWARD MOORE, and JOANIE MOORE to extend time to 30 days after this court decides the pending motion to respond to plaintiff's discovery requets and to plaintiff's application for temporary restraining order (ag) (Entered: 12/14/2000)
12/14/2000	28	FIRST AMENDED COMPLAINT by plaintiff JOHN D. BEHLER amending complaint [1-1] . (cas) (Entered: 12/20/2000)

12/19/2000	27	SUPPLEMENTAL MEMORANDUM (PLEADING) by plaintiff JOHN D. BEHLER to set forth transactions and occurrences that have hapened since the filing of his original pleadings involving, the defendant's Clay and Joanie Moore, the Federal Bureau of Prisons and the Office of United States Senator, Chuck Hagel, of Nebraska; Attachments. (tth) Modified on 12/20/2000 (Entered: 12/20/2000)
12/26/2000	29	MOTION filed by federal defendants for protective order staying all discovery in this case until further order of this court (ag) (Entered: 12/28/2000)
12/27/2000	30	MOTION filed by plaintiff JOHN D. BEHLER for order to compel defendants to answer interrogatories , and for temporary restraining order (ag) (Entered: 01/02/2001)
01/04/2001	31	MOTION filed by federal defendants to further extend time to January 29, 2001 to answer complaint [1-1] (jdm) (Entered: 01/05/2001)
01/09/2001	32	ORDER by Judge Thomas P. Jackson : granting motion to further extend time to January 29, 2001 to answer complaint [1-1] [31-1] by federal defendantsssss ; Answer extended to 1/29/01 for ED HUMPHREY, for W. MORRIS, for JOHN MAGNUSON, for KELLY SNYDER, for RANDY J. DAVIS, for BOP (N) (rew) (Entered: 01/09/2001)
01/17/2001	34	MOTION filed by plaintiff JOHN D. BEHLER to compel discovery pursuant to Federal Rule of Civil Procedure 37, as to defendants, Randy J. Davis, John Magnuson, Kelly Snyder, and Wayne Morris (tth) (Entered: 01/22/2001)
01/17/2001	35	MOTION filed by plaintiff JOHN D. BEHLER for discovery conference pursuant to Federal Rule of Civil procedure 26(f) (tth) (Entered: 01/22/2001)
01/19/2001	33	RESPONSE by federal defendant in opposition to motion for order to compel defendants to answer interrogatories [30-1] by JOHN D. BEHLER . (ag) (Entered: 01/22/2001)
01/23/2001	36	MEMORANDUM AND ORDER by Judge Thomas P. Jackson : denying motion for temporary restraining order [24-1] by JOHN D. BEHLER, denying motion for temporary restraining order [30-2] by JOHN D. BEHLER, denying motion for order to compel defendants to answer interrogatories [30-1] by JOHN D. BEHLER, granting motion to extend time to 30 days after this court decides the pending motion to respond to plaintiff's discovery requets and to plaintiff's application for temporary restraining order [26-1] by JOANIE MOORE, CLAYTON EDWARD MOORE, granting motion for protective order staying all discovery in this case until further order of this court [29-1] by federal defendantsssss, granting motion to dismiss for lack of personal jurisdiction by defendants CLAYTON EDWARD MOORE and JOANIE MOORE [17-1] by JOANIE MOORE, CLAYTON EDWARD MOORE, and dismissing action without prejudice as to defendants CLAYTON EDWARD MOORE and JOANIE MOORE and dismissing without prejudice as to all defendants other than the FEDERAL BUREAU OF PRISONS. (N) (rew) (Entered: 01/25/2001)
01/26/2001	37	MOTION filed by federal defendant BOP to extend time to 2/16/01 to respond to privacy act claim (ag) (Entered: 01/29/2001)

01/29/2001	38	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 2/16/01 to respond to privacy act claim [37-1] by BOP response to dispositive motions due by 2/16/01 (N) (rew) (Entered: 01/30/2001)
02/08/2001	39	MOTION filed by plaintiff JOHN D. BEHLER to extend time to 2/10/01 to respond to the 1/23/01 court order ; Exhibits (1) (ag) (Entered: 02/09/2001)
02/08/2001	40	MOTION filed by plaintiff JOHN D. BEHLER to alter 1/23/01 judgment pursuant to F.R.C.P. 59 (e) , or to amend 1/23/01 judgment pursuant to F.R.C.P. 59 (e) (ag) (Entered: 02/09/2001)
02/08/2001	43	ORDER by Judge Thomas P. Jackson : denying motion to compel discovery pursuant to Federal Rule of Civil Procedure 37, as to defendants, Randy J. Davis, John Magnuson, Kelly Snyder, and Wayne Morris [34-1] by JOHN D. BEHLER, and granting federal defendants motion for protective order and no discovery shall be conducted until further order of this court. (N) (rew) (Entered: 02/14/2001)
02/09/2001	42	ORDER by Judge Thomas P. Jackson : denying motion to amend 1/23/01 judgment pursuant to F.R.C.P. 59 (e) [40-2] by JOHN D. BEHLER, denying motion to extend time to 2/10/01 to respond to the 1/23/01 court order [39-1] by JOHN D. BEHLER (N) (lin) (Entered: 02/14/2001)
02/14/2001	44	RESPONSE by defendants CLAYTON EDWARD MOORE, and JOANIE MOORE in opposition to motion to alter 1/23/01 judgment pursuant to F.R.C.P. 59 (e) [40-1] by JOHN D. BEHLER . (ag) (Entered: 02/15/2001)
02/16/2001	45	MOTION filed by federal defendant BOP to dismiss plaintiff's remaining claim of complaint [1-1] , or, in the alternative, to transfer case to the United States District Court for the District of Minnesota ; Exhibits (2) (ag) (Entered: 02/20/2001)
02/27/2001	46	REPLY (TRAVERSE) by plaintiff JOHN D. BEHLER to defendant's opposition to motion to alter 1/23/01 judgment pursuant to F.R.C.P. 59 (e) [40-1] by JOHN D. BEHLER (bjsp) (Entered: 02/28/2001)
02/28/2001	47	MOTION filed by plaintiff JOHN D. BEHLER to extend time to respond to the BOP's Motion to Dismiss or, in the Alternative, to Transfer (tth) (Entered: 03/02/2001)
03/14/2001	48	MOTION filed by federal defendant BOP to extend time to 3/23/01 to file its Reply Memorandum in further support of its Motion to Dismiss Or, in the Alternative, to Transfer (tth) (Entered: 03/15/2001)
03/15/2001	49	TRAVERSE to motion to dismiss or, in the alternative, to transfer to the District of Minnesota. (jf) (Entered: 03/19/2001)
03/15/2001	50	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 3/23/01 to file its Reply Memorandum in further support of its Motion to Dismiss Or, in the Alternative, to Transfer [48-1] by BOP (N) (rew) (Entered: 03/19/2001)
03/23/2001	51	ORDER by Judge Thomas P. Jackson : reply to dispositive motions due 3/23/01 ; (N) (lin) (Entered: 03/26/2001)

03/23/2001	52	MOTION filed by federal defendant BOP to extend time to file its Reply Memorandum in further support of its Motion to Dismiss or, In The Alternative, to Transfer (tth) (Entered: 03/26/2001)
03/26/2001	53	REPLY by federal defendant BOP to plaintiff's opposition to motion to dismiss plaintiff's remaining claim of complaint [1-1] [45-1] or, in the alternative, to transfer case to the United States District Court for the District of Minnesota [45-2] (jf) (Entered: 03/27/2001)
04/02/2001	54	ORDER by Judge Thomas P. Jackson : granting motion to extend time to file its Reply Memorandum in further support of its Motion to Dismiss or, In The Alternative, to Transfer [52-1] by BOP reply to motion(s) due by 3/27/01 ; (N) (rew) (Entered: 04/02/2001)
04/25/2001		MOTION HEARING before Mag. Judge Deborah A. Robinson (MJ) Reporter: Santa Zizzo (tb) (Entered: 04/25/2001)
08/10/2001	55	MEMORANDUM OPINION by Judge Thomas P. Jackson (N) (pob) (Entered: 08/10/2001)
08/10/2001	56	ORDER AND JUDGMENT by Judge Thomas P. Jackson: denying motion to extend time to respond to the BOP's Motion to Dismiss or, the Alternative, to Transfer by JOHN D. BEHLER [47-1] moot, granting motion to dismiss plaintiff's remaining claim of complaint [1-1] [45-1] by BOP, denying motion to transfer case to the United States District Court for the District Minnesota by BOP [45-2] moot, denying motion to alter 1/23/01 judgment pursuant to F.R.C.P. 59 (e) by JOHN D. BEHLER [40-1] moot, denying motion for discovery conference pursuant to Federal Rule of Civil procedure 26(f) by JOHN BEHLER [35-1] moot; this is a final appealable Order. (N) (pob) (Entered: 08/10/2001)