## U.S. District Court District of Columbia (Washington, DC) CIVIL DOCKET FOR CASE #: 1:99-cv-03166-TFH

DEBLASIO v. US MARSHAL SERVICE

Assigned to: Judge Thomas F. Hogan

Demand: \$0

Cause: 05:552 Freedom of Information Act

Date Filed: 11/30/1999

Date Terminated: 10/01/2001

Jury Demand: None

Nature of Suit: 550 Prisoner Petition:

Civil Rights (Other)

Jurisdiction: U.S. Government

Defendant

**Plaintiff** 

**KEITH WILLIAM DEBLASIO** 

represented by KEITH WILLIAM DEBLASIO

15 Candlewood Lane

Great Cacapon, WV 25422

(304) 947-5027

Fax: AREA CODE (304)

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Defendant

## **US MARSHAL SERVICE**

represented by Claire M. Whitaker

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Fax: (202) 252-2505

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LEAD ATTORNEY

| Date Filed | # | Docket Text  |
|------------|---|--|
| 11/30/1999 | 1 | COMPLAINT filed by plaintiff KEITH WILLIAM DEBLASIO; attachments (st) (Entered: 12/01/1999)  |
| 11/30/1999 |   | SUMMONS NOT ISSUED. (st) (Entered: 12/01/1999)   |
| 11/30/1999 | 2 | APPLICATION by plaintiff KEITH WILLIAM DEBLASIO to proceed in forma pauperis (st) (Entered: 12/01/1999)  |
| 11/30/1999 | 3 | ORDER by Judge Aubrey E. Robinson: directing prisoner plaintiff to provide a trust fund statement to the court by 12/30/99 for KEITH WILLIAM DEBLASIO. (N) (st) (Entered: 12/01/1999)  |
| 12/10/1999 | 4 | TRUST FUND ACCOUNT filed by plaintiff KEITH WILLIAM DEBLASIO pursuant to order [3-1], [3-2]. (cjp) (Entered: 12/30/1999)   |
| 12/30/1999 | 5 | ORDER by Judge Aubrey E. Robinson: granting motion to proceed in forma pauperis [2-1] by KEITH WILLIAM DEBLASIO directing that monthly payments be made from the prisoner account of KEITH WILLIAM DEBLASIO. (N) (cjp) (Entered: 12/30/1999) |

| 12/30/1999 |           | CASE REASSIGNED from unassigned to Judge Thomas F. Hogan (tb) (Entered: 01/03/2000)  |
|------------|-----------|--|
| 01/04/2000 |           | SUMMONS (3) issued to federal party(s) federal defendant US MARSHAL SERVICE, and non-parties: U.S. Attorney and U.S. Attorney General. (tb) (Entered: 01/05/2000)  |
| 01/10/2000 | 6         | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 1/7/00 (tb) (Entered: 01/10/2000)  |
| 01/10/2000 | 7         | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 1/7/00 (tb) (Entered: 01/10/2000)  |
| 01/11/2000 | 8         | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 1/10/00 upon federal defendant US MARSHAL SERVICE (tb) (Entered: 01/12/2000)  |
| 02/01/2000 | 9         | ATTORNEY APPEARANCE for federal defendant US MARSHAL SERVICE by Claire M. Whitaker (tb) (Entered: 02/02/2000)  |
| 02/07/2000 | 10        | ANSWER TO COMPLAINT [1-1] by federal defendant US MARSHAL SERVICE . (tb) (Entered: 02/08/2000)   |
| 03/01/2000 | 11        | ORDER by Judge Thomas F. Hogan: giving defendant 45 days from the date of this order to file a dispositive motion or, in the alternative, to file a report setting forth the schedule according to which it will complete production of documents to plantiff. (N) (gew) (Entered: 03/07/2000)                               |
| 03/17/2000 | 12        | MOTION filed by federal defendant US MARSHAL SERVICE to extend time to 5/1/00 to respond to the Court's order dated 3/1/00 (bjsp) (Entered: 04/19/2000)  |
| 04/19/2000 | <u>13</u> | ORDER by Judge Thomas F. Hogan: granting motion to extend time to 5/1/00 to respond to the Court's order dated 3/1/00 [12-1] by US MARSHAL SERVICE dispositive motions due by 5/1/00; (N) (ldc) (Entered: 04/20/2000)  |
| 05/02/2000 | 14        | MOTION filed by federal defendant US MARSHAL SERVICE to extend time to 5/8/00 to file either a dispositive motion or a report setting forth the schedule according to which it will complete production of documents to plaintiff (cjp) (Entered: 05/03/2000)  |
| 05/08/2000 | <u>15</u> | ORDER by Judge Thomas F. Hogan: granting motion to extend time to 5/8/00 to file either a dispositive motion or a report setting forth the schedule according to which it will complete production of documents to plaintiff [14-1] by US MARSHAL SERVICE dispositive motions due by 5/8/00; (N) (gdf) (Entered: 05/08/2000) |
| 05/08/2000 | 16        | MOTION filed by federal defendant US MARSHAL SERVICE to extend time to 5/15/00 to file dispositive motion in this action (bjsp) (Entered: 05/09/2000)  |
| 05/10/2000 | <u>17</u> | ORDER by Judge Thomas F. Hogan: granting motion to extend time to 5/15/00 to file dispositive motion in this action [16-1] by US MARSHAL SERVICE dispositive motions due by 5/15/00; (N) (lin) (Entered: 05/11/2000)   |
| 05/15/2000 | 18        | MOTION filed by federal defendant US MARSHAL SERVICE for summary judgment; exhibits (5) (cjp) (Entered: 05/16/2000)  |
|            |           |  |

| 05/16/2000 | 19        | ERRATA (NOTICE OF FILING) by federal defendant US MARSHAL SERVICE to the Court RE: the filing of an original declaration of Arleta D. Cunningham which should be in support of defendant's motion for summary judgment; exhibits (6) (bjsp) (Entered: 05/17/2000) |
|------------|-----------|---|
| 05/25/2000 | <u>20</u> | ORDER by Judge Thomas F. Hogan : plaintiff's response to motion for summary judgment due 6/23/00 (N) (gew) (Entered: 05/25/2000)  |
| 05/26/2000 | 21        | RESPONSE by plaintiff KEITH WILLIAM DEBLASIO to motion for summary judgment [18-1] by US MARSHAL SERVICE (bjsp) (Entered: 05/30/2000)   |
| 06/06/2000 | 22        | MOTION filed by federal defendant US MARSHAL SERVICE to extend time to 6/16/00 to file its reply to plaintiff's response to defendant's motion for summary judgment (bjsp) (Entered: 06/07/2000)  |
| 06/13/2000 | 23        | ORDER by Judge Thomas F. Hogan: granting motion to extend time to 6/16/00 to file its reply to plaintiff's response to defendant's motion for summary judgment [22-1] by US MARSHAL SERVICE (N) (gew) (Entered: 06/14/2000)                                       |
| 06/16/2000 | 24        | REPLY by federal defendant US MARSHAL SERVICE to plaintiff's response to motion for summary judgment [18-1]; attachments (1) (jf) (Entered: 06/19/2000)   |
| 10/03/2000 | <u>25</u> | ORDER by Judge Thomas F. Hogan : denying motion for summary judgment [18-1] by US MARSHAL SERVICE renewed moion for summary judgment by defendant due 10/31/00 ; (N) (jf) (Entered: 10/06/2000)   |
| 10/19/2000 | 26        | MOTION filed by plaintiff KEITH WILLIAM DEBLASIO for appointment of counsel (bjsp) (Entered: 10/23/2000)  |
| 10/30/2000 | 27        | MOTION filed by federal defendant US MARSHAL SERVICE to request a three day extension of time to 11/3/00 for the filing of a renewed motion for summary judgment (cas) (Entered: 11/01/2000)  |
| 11/03/2000 | 28        | MOTION (RENEWED) filed by federal defendant US MARSHAL SERVICE for summary judgment; Supplemental Declaration (1); Exhibits (14) (ag) (Entered: 11/08/2000)   |
| 11/08/2000 | <u>29</u> | ORDER by Judge Thomas F. Hogan: granting motion to request a three day extension of time to 11/3/00, nunc pro tunc, for the filing of a renewed motion for summary judgment [27-1] by US MARSHAL SERVICE (N) (gew) (Entered: 11/08/2000)                          |
| 11/14/2000 | 30        | ORDER by Judge Thomas F. Hogan : plaintiff shall file response to defendant's motion to dismiss, or, alternatively for summary judgment no later than 12/08/00; (N) (tb) (Entered: 11/15/2000)  |
| 11/17/2000 | 31        | ORDER by Judge Thomas F. Hogan : denying motion for appointment of counsel, without prejudice to refiling after resolution of defendant's pending renewed motion for summary judgment. [26-1] by KEITH WILLIAM DEBLASIO (N) (gew) (Entered: 11/20/2000)           |
| 12/12/2000 | 32        | RESPONSE by plaintiff KEITH WILLIAM DEBLASIO to renewed motion for summary judgment [28-1] by US MARSHAL SERVICE (cas) (Entered: 12/21/2000)  |

| 06/22/2001 | 33        | MEMORANDUM AND ORDER by Judge Thomas F. Hogan : denying motion for summary judgment [28-1] by US MARSHAL SERVICE; directing defendant within thirty days from the entry of this order to file a praecipe . (N) (jf) (Entered: 06/22/2001)  |
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| 07/23/2001 | 34        | MOTION filed by federal defendant US MARSHAL SERVICE to extend time one day (1) to include 7/24/01 (cas) (Entered: 07/24/2001)   |
| 07/24/2001 | 36        | MOTION (RENEWED) filed by federal defendant US MARSHAL SERVICE for summary judgment, and for reconsideration of order [33-1]; exhibits (A-B) (aet) (Entered: 07/25/2001)   |
| 07/25/2001 | <u>35</u> | ORDER by Chief Judge Thomas F. Hogan: granting motion to extend time one day (1) to include 7/24/01 [34-1] by US MARSHAL SERVICE; motion for summary judgment due by 7/24/01 as to limited redactions and to provide redacted documents to the Court for in camera review. (N) (jf) (Entered: 07/25/2001)  |
| 07/30/2001 | <u>37</u> | ORDER by Chief Judge Thomas F. Hogan : response by plaintiff to defendant's renewed motion for summary judgment due 8/27/01; (N) (jf) (Entered: 07/30/2001)  |
| 08/03/2001 | 38        | NOTICE OF CHANGE OF ADDRESS by KEITH WILLIAM DEBLASIO representing plaintiff KEITH WILLIAM DEBLASIO. New address: 76 Tri Lake Park, Berkeley Springs, West Virginia 25411-3813, 304-258-9458. (cas) (Entered: 08/06/2001)  |
| 08/09/2001 | 39        | MOTION filed by plaintiff KEITH WILLIAM DEBLASIO to extend time to answer defendants' renewed Motion for Summary Jusgment (cas) (Entered: 08/13/2001)  |
| 08/27/2001 | 40        | RESPONSE (OPPOSITIONS) by plaintiff KEITH WILLIAM DEBLASIO to motion for summary judgment [36-1] by US MARSHAL SERVICE (cas) (Entered: 08/28/2001)   |
| 08/30/2001 | 41        | REPLY by federal defendant US MARSHAL SERVICE to response in opposition to motion for summary judgment [36-1] by US MARSHAL SERVICE, motion for reconsideration of order [33-1] [36-2] by US MARSHAL SERVICE (cas) (Entered: 08/31/2001)   |
| 09/13/2001 | <u>42</u> | MEMORANDUM OPINION by Chief Judge Thomas F. Hogan (N) (jf) (Entered: 09/13/2001)   |
| 09/13/2001 | 43        | JUDGMENT by Chief Judge Thomas F. Hogan in favor of federal defendant US MARSHAL SERVICE; denied as moot plaintiff's motion for extension of time to respond [#39]; granting defendant's renewed motion for summary judgment [#36-1] and motion for reconsideration [#36-2]; further ordered, that defendant shall pay plaintiff's litigation costs of \$150. this is a final appealable order. (jf) (Entered: 09/13/2001) |
| 10/02/2001 | 44        | MOTION filed by plaintiff KEITH WILLIAM DEBLASIO for reconsideration of judgment order [43-1] (nmr) (Entered: 10/03/2001)  |
| 10/15/2001 | 45        | RESPONSE by federal defendant US MARSHAL SERVICE in opposition to motion for reconsideration of judgment order [43-1] [44-1] by KEITH WILLIAM DEBLASIO. (nmr) (Entered: 10/16/2001)  |

| 10/25/2001 | 46 | MEMORANDUM AND ORDER by Chief Judge Thomas F. Hogan: granting motion for taxation of costs [44-1] by KEITH WILLIAM DEBLASIO; further ordered, that defendant shall pay plaintiff his litigation costs of \$328.63. (N) (jf) (Entered: 10/25/2001) |
|------------|----|---|
| 05/20/2002 |    | DEPOSIT by defendant in the sum of \$150.00 pursuant to order filed 10/25/01 (bcs) (Entered: 05/21/2002)  |
| 05/23/2002 | 47 | RESPONSE by federal defendant US MARSHAL SERVICE to courts order dated 10/25/01 [46-1] (bcs) (Entered: 05/24/2002)  |
| 05/30/2002 | 48 | ORDER by Chief Judge Thomas F. Hogan: denying plaintiff's writ of execution. (N) (jf) (Entered: 05/30/2002)   |