

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:99-cv-02030-TPJ**

MELLS v. IRS
Assigned to: Judge Thomas Penfield Jackson
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 07/30/1999
Date Terminated: 11/25/2002
Jury Demand: None
Nature of Suit: 550 Prisoner Petition:
Civil Rights (Other)
Jurisdiction: U.S. Government
Defendant

Plaintiff**NICKOLAS ANTONIOUS MELLS**

represented by **NICKOLAS ANTONIOUS MELLS**
R82279-080
FEDERAL CORRECTION COMPLEX
P.O. Box 730
Austin, TX 78602
PRO SE

V.

Defendant

INTERNAL REVENUE SERVICE
FOIA Criminal Division

represented by **Pat S. Genis**
US DEPARTMENT OF JUSTICE
Tax Division
Post Office Box 227
555 4th street, NW
Ben Franklin Station, Rm 6116
Washington, DC 20044
(202) 307-6390
Fax: (202) 514-6866
Email: pat.genis@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/30/1999	1	COMPLAINT filed by plaintiff NICKOLAS ANTONIOUS MELLS; attachments (cjp) (Entered: 08/01/1999)
07/30/1999		SUMMONS NOT ISSUED. (cjp) (Entered: 08/01/1999)
07/30/1999	2	APPLICATION by plaintiff NICKOLAS ANTONIOUS MELLS to proceed in forma pauperis (cjp) (Entered: 08/01/1999)
07/30/1999	3	TRUST FUND ACCOUNT filed by plaintiff NICKOLAS ANTONIOUS MELLS (cjp) (Entered: 08/01/1999)

07/30/1999	4	MEMORANDUM AND DISMISSAL ORDER by Judge Gladys Kessler : granting motion to proceed in forma pauperis [2-1] by NICKOLAS ANTONIOUS MELLS dismissing complaint [1-1] without prejudice for failure to exhaust administrative remedies (N) (N) (cjp) (Entered: 08/01/1999)
07/30/1999	5	FINAL JUDGMENT entered by the Clerk dismissing the complaint without prejudice. (N) (cjp) (Entered: 08/02/1999)
09/10/1999	6	MOTION filed by plaintiff NICKOLAS ANTONIOUS MELLS for reconsideration of order dismissing complaint [1-1] without prejudice for failure to exhaust administrative remedies [4-1], order [4-2] (cjp) (Entered: 09/13/1999)
09/20/1999	7	ORDER by Judge Aubrey E. Robinson : granting motion for reconsideration of order dismissing complaint [1-1] without prejudice for failure to exhaust administrative remedies [4-1], order [4-2] [6-1] by NICKOLAS ANTONIOUS MELLS vacating Court's Memorandum Opinion and Dismissal Order and Final Judgment of 7/30/99 , and directing that the Clerk randomly assign this action (N) (cjp) (Entered: 09/20/1999)
09/20/1999		Case Reopened (cjp) (Entered: 09/20/1999)
09/20/1999	8	ORDER by Judge Aubrey E. Robinson : granting motion to proceed in forma pauperis [2-1] by NICKOLAS ANTONIOUS MELLS directing that monthly payments be made from the prisoner account of NICKOLAS ANTONIOUS MELLS . (N) (cjp) (Entered: 09/20/1999)
09/21/1999		CASE REASSIGNED to Judge Thomas P. Jackson (tth) Modified on 10/05/1999 (Entered: 09/21/1999)
09/29/1999		SUMMONS (3) issued to federal party(s) federal defendant IRS , and non-parties: U.S. Attorney and U.S. Attorney General. (cjp) (Entered: 10/04/1999)
10/01/1999	9	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 9/30/99 (st) (Entered: 10/04/1999)
10/07/1999	10	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 10/4/99 upon federal defendant IRS (tth) (Entered: 10/08/1999)
10/07/1999	11	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 10/5/99 (tth) (Entered: 10/08/1999)
10/29/1999	12	ATTORNEY APPEARANCE for federal defendant IRS by Pat S. Genis (st) (Entered: 11/01/1999)
10/29/1999	13	MOTION filed by federal defendant IRS to extend time to thirty days to answer complaint [1-1] (st) (Entered: 11/01/1999)
11/01/1999	14	ORDER by Judge Thomas P. Jackson : granting motion to extend time to thirty days to answer complaint [1-1] [13-1] by IRS ; Answer extended to 12/2/99 for IRS (N) (rew) (Entered: 11/03/1999)
11/05/1999	15	MOTION filed by plaintiff NICKOLAS ANTONIOUS MELLS to strike the order granting defendant's extension of time to respond to complaint [14-1] ; exhibits (2) (bjsp) (Entered: 11/08/1999)

11/18/1999	16	RESPONSE by federal defendant IRS in opposition to motion to strike the order granting defendant's extension of time to respond to complaint [14-1] [15-1] by NICKOLAS ANTONIOUS MELLS (bjsp) (Entered: 11/19/1999)
12/03/1999	17	ANSWER TO COMPLAINT [1-1] by federal defendant IRS . (tw) (Entered: 12/06/1999)
12/03/1999	18	MOTION filed by federal defendant IRS for summary judgment pursuant Federal Rule of Civil Procedure 56 ; exhibits (9) (tw) Modified on 12/06/1999 (Entered: 12/06/1999)
12/08/1999	19	ORDER by Judge Thomas P. Jackson :directing plaintiff to respond to defendant's motion for summary judgment by 1-10-00 ;failing the Court may treat the moiton as conceded; response to dispositive motions due 1/10/00 . (N) (rew) (Entered: 12/09/1999)
12/14/1999	20	MOTION filed by plaintiff NICKOLAS ANTONIOUS MELLS for summary judgment ; Exhibit (1) (tth) (Entered: 12/15/1999)
12/23/1999	21	RESPONSE by federal defendant IRS in opposition to motion for summary judgment [20-1] by NICKOLAS ANTONIOUS MELLS . (jf) (Entered: 01/13/2000)
10/23/2000		DEPOSIT by plaintiff of \$150.00 filing fee paid (cjp) (Entered: 10/23/2000)
11/01/2000	22	ORDER by Judge James Robertson : directing that plaintiff has now paid the filing fee in full as ordered by the Court at the initiation of this action (N) (cjp) (Entered: 11/01/2000)
01/23/2001	23	MEMORANDUM OPINION by Judge Thomas P. Jackson (N) (rew) (Entered: 01/26/2001)
01/23/2001	24	ORDER by Judge Thomas P. Jackson : denying motion for summary judgment [20-1] by NICKOLAS ANTONIOUS MELLS, granting motion for summary judgment pursuant Federal Rule of Civil Procedure 56 [18-1] by IRS, denying motion to strike the order granting defendant's extension of time to respond to complaint [14-1] [15-1] by NICKOLAS ANTONIOUS MELLS , and the case is dismissed without prejudice. (N) (rew) (Entered: 01/26/2001)
02/07/2001	25	LETTER filed by Nickolas Mells to Judge Jackson, regarding plaintiff's for F.O.I.A. Disclosure; Attachment (1); "Let this be filed", JACKSON, J. (tth) (Entered: 02/28/2001)
06/18/2001	26	MOTION filed by plaintiff NICKOLAS ANTONIOUS MELLS for order granting plaintiffs request RE: freedom of information act (FIAT) JACKSON, J.; exhibits (5); attachments (bjsp) (Entered: 06/21/2001)
06/22/2001	27	ORDER by Judge Thomas P. Jackson : granting motion for order granting plaintiffs request RE: freedom of information act [26-1] by NICKOLAS ANTONIOUS MELLS , and the case is reopened and directing the Clerk to issue summons and copy the complaint for service. (N) (rew) (Entered: 06/26/2001)
06/26/2001		Case Reopened (rew) (Entered: 06/26/2001)

06/27/2001		SUMMONS (3) issued to federal party(s) federal defendant IRS , and non-parties: U.S. Attorney and U.S. Attorney General. (tb) (Entered: 06/29/2001)
07/10/2001	28	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 6/29/01 upon federal defendant IRS (bm) (Entered: 07/12/2001)
07/10/2001	29	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 7/3/01 (bm) (Entered: 07/12/2001)
07/10/2001	30	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 7/3/01 (bm) (Entered: 07/12/2001)
07/19/2001		SUMMONS issued (3) to federal party(s) federal defendant IRS , and non-parties: U.S. Attorney and U.S. Attorney General. (cas) (Entered: 07/19/2001)
07/27/2001	31	Relief from judgment filed by plaintiff NICKOLAS ANTONIOUS MELLS , regarding: Relief from judgment under FED.R. CIV 60 (h) summary judgment (cas) (Entered: 08/02/2001)
08/02/2001	32	MOTION filed by federal defendant IRS to extend time to answer or otherwise respond to plaintiff's complaint [1-1] (tth) (Entered: 08/03/2001)
08/10/2001	33	ORDER by Judge Thomas P. Jackson : granting motion to extend time to answer or otherwise respond to plaintiff's complaint [1-1] [32-1] by IRS ; Answer extended to 9/4/01 for IRS (N) (dam) (Entered: 08/10/2001)
09/04/2001	34	ANSWER TO COMPLAINT [1-1] by federal defendant IRS. (tth) (Entered: 09/05/2001)
10/04/2001	35	MOTION filed by federal defendant IRS for summary judgment exhibits (3) (nmr) (Entered: 10/05/2001)
10/15/2001	36	ORDER by Judge Thomas P. Jackson :directing plaintiff to respond to defendant's motion for summary judgment by 11-19-01, response to dispositive motions due 11/19/01 (N) (rew) (Entered: 10/17/2001)
10/18/2001	37	MOTION filed by plaintiff NICKOLAS ANTONIOUS MELLS for summary judgment ; attachments (nmr) (Entered: 10/19/2001)
10/23/2001	38	RESPONSE by federal defendant IRS in opposition to motion for summary judgment [37-1] by NICKOLAS ANTONIOUS MELLS. (nmr) (Entered: 10/24/2001)
02/06/2002	39	NOTICE OF CHANGE OF ADDRESS by NICKOLAS ANTONIOUS MELLS representing plaintiff NICKOLAS ANTONIOUS MELLS . New address: P.O. Box 730, Austin, TX 78602. (nmr) (Entered: 02/07/2002)
11/21/2002	40	MEMORANDUM OPINION by Judge Thomas P. Jackson (N) (rew) (Entered: 11/25/2002)
11/21/2002	41	ORDER by Judge Thomas P. Jackson : denying motion for summary judgment [37-1] by NICKOLAS ANTONIOUS MELLS, granting motion for summary judgment [35-1] by IRS, and dismissing the case. (N) (rew) (Entered: 11/25/2002)
09/22/2003	42	(ENTERED IN ERROR) STATUS REPORT by federal defendant IRS (bjsp) Modified on 11/14/2003 (zbjsp,). (Entered: 09/25/2003)

