

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:99-cv-00633-ESH**

LUCENA v. DEA, et al
Assigned to: Judge Ellen S. Huvelle
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 03/15/1999
Date Terminated: 02/08/2000
Jury Demand: None
Nature of Suit: 550 Prisoner Petition:
Civil Rights (Other)
Jurisdiction: U.S. Government
Defendant

Plaintiff

CARLOS V. LUCENA

represented by **CARLOS V. LUCENA**
R03450-069
ASHLAND FEDERAL
CORRECTIONAL INSTITUTION
P.O. Box 6001
Ashland, KY 41105
PRO SE

V.

Defendant

**DRUG ENFORCEMENT
ADMINISTRATION**

represented by **Kimberly Brown**
CAPLIN & DRYSDALE
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Suite 1100
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(202) 862-5046
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TERMINATED: 08/04/1999
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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LEAD ATTORNEY
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Defendant

**FEDERAL BUREAU OF
INVESTIGATION**

represented by **Kimberly Brown**
(See above for address)
TERMINATED: 08/04/1999
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Meredith Manning
(See above for address)
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Defendant

U.S. DEPARTMENT OF JUSTICE

represented by **Kimberly Brown**
(See above for address)
TERMINATED: 08/04/1999
LEAD ATTORNEY
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Meredith Manning
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Date Filed	#	Docket Text
03/15/1999	1	COMPLAINT filed by plaintiff CARLOS V. LUCENA (pt) (Entered: 03/18/1999)
03/15/1999		SUMMONS NOT ISSUED. (pt) (Entered: 03/18/1999)
03/15/1999	2	APPLICATION by plaintiff CARLOS V. LUCENA to proceed in forma pauperis (pt) (Entered: 03/18/1999)
03/15/1999	3	ORDER by Judge Aubrey E. Robinson : directing prisoner plaintiff to provide a trust fund statement to the court by 4/14/99 for CARLOS V. LUCENA . (N) (pt) (Entered: 03/18/1999)
04/06/1999	4	APPLICATION (AMENDED) by plaintiff CARLOS V. LUCENA to proceed in forma pauperis (cjp) (Entered: 04/13/1999)
04/13/1999	5	ORDER by Judge Aubrey E. Robinson : directing prisoner plaintiff to provide a trust fund statement to the court by 5/13/99 for CARLOS V. LUCENA . (N) (cjp) (Entered: 04/13/1999)
05/06/1999	6	TRUST FUND ACCOUNT filed by plaintiff CARLOS V. LUCENA pursuant to order [5-2] . (pt) (Entered: 05/14/1999)
05/14/1999	7	ORDER by Judge Aubrey E. Robinson : directing that monthly payments be made from the prisoner account of CARLOS V. LUCENA . granting motion to proceed in forma pauperis [2-1] by CARLOS V. LUCENA (N) (pt) (Entered: 05/14/1999)
05/26/1999		CASE REASSIGNED from Unassigned to Judge Thomas P. Jackson (tth) (Entered: 05/28/1999)

06/07/1999	8	ATTORNEY APPEARANCE for federal defendant DEA, federal defendant FBI, federal defendant DOJ by Kimberly Brown (tw) (Entered: 06/08/1999)
06/08/1999	9	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 5/28/99 (tth) (Entered: 06/09/1999)
06/08/1999	10	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 5/28/99 upon federal defendant FBI (tth) (Entered: 06/09/1999)
06/08/1999	11	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 5/27/99 (tth) (Entered: 06/09/1999)
06/08/1999	12	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 5/27/99 upon federal defendant DOJ (tth) (Entered: 06/09/1999)
06/21/1999	13	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 6/11/99 upon federal defendant DEA (tw) (Entered: 06/22/1999)
06/28/1999	14	ANSWER TO COMPLAINT [1-1] by federal defendant DEA, federal defendant FBI, federal defendant DOJ . (tw) (Entered: 06/29/1999)
07/14/1999		SCHEDULING NOTICE: status hearing set for 9:30 8/10/99 ; before Judge Thomas P. Jackson . (rew) (Entered: 07/14/1999)
07/23/1999	15	RESPONSE by plaintiff CARLOS V. LUCENA to answer [14-1] by DOJ, FBI, DEA (st) (Entered: 07/26/1999)
07/29/1999	16	AMENDMENT TO SUPPLEMENT plaintiff's response to government agencies' answer under Rule 15 of Civil Procedures [15-1] by CARLOS V. LUCENA (tth) (Entered: 07/30/1999)
08/04/1999	17	SUBSTITUTION OF COUNSEL for federal defendant DEA, federal defendant FBI, federal defendant DOJ , substituting Meredith Manning for attorney Kimberly Brown for DOJ, attorney Kimberly Brown for FBI, attorney Kimberly Brown for DEA (tth) (Entered: 08/05/1999)
08/10/1999		STATUS HEARING before Judge Thomas P. Jackson : status hearing set for 9:30 11/19/99 ; Reporter: P. Merana (rew) (Entered: 08/11/1999)
08/11/1999		SCHEDULING NOTICE: status hearing set for 9:30 11/19/99 ; before Judge Thomas P. Jackson courtroom 2. (rew) (Entered: 08/11/1999)
11/04/1999	18	MOTION filed by federal defendant DOJ for summary judgment ; Declarations (2); Exhibits (3) (tth) (Entered: 11/05/1999)
11/09/1999	19	ORDER by Judge Thomas P. Jackson: directing that plaintiff shall respond to motion for summary judgment no later than 12/10/99. 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 defendants. (N) (gdf) (Entered: 11/09/1999)
12/02/1999	20	RESPONSE by plaintiff CARLOS V. LUCENA in opposition to motion for summary judgment [18-1] by DOJ; Exhibits (7). (tth) Modified on 12/08/1999 (Entered: 12/08/1999)
12/13/1999	21	REPLY by federal defendant DOJ to motion for summary judgment [18-1] by DOJ; attachment (1) (tb) (Entered: 12/14/1999)

12/22/1999		REASSIGNMENT OF CIVIL CASE from Judge Jackson to Judge Ellen S. Huvelle by direction of the Calendar Committee. Emergency matters will continue to be handled by Judge Jackson until Judge Huvelle takes the oath of office. (N) (jeb) (Entered: 12/22/1999)
01/06/2000	24	SURREPLY by plaintiff CARLOS V. LUCENA to defendant's reply to plaintiff's opposition to its motion for summary judgment; Exhibits (8); "Let this be filed", JACKSON, J. (tth) (Entered: 02/15/2000)
02/08/2000	22	MEMORANDUM OPINION by Judge Ellen S. Huvelle (N) (gdf) (Entered: 02/09/2000)
02/08/2000	23	ORDER by Judge Ellen S. Huvelle: granting motion for summary judgment [18-1] by DOJ; FURTHER ORDERED that JUDGMENT is entered in favor of the Defendant Drug Enforcement Administration and the Federal Bureau of Investigation. This case is DISMISSED without prejudice as to the Department of Justice for lack of jurisdiction. Any other pending motions are denied as moot. (N) (gdf) (Entered: 02/09/2000)
03/15/2000	25	NOTICE OF APPEAL by plaintiff CARLOS V. LUCENA from order [23-1], entered on: 2/9/00. NO FEES PAID; IFP. Copies mailed to: Meredith Manning and Carlos Lucena. (tth) Modified on 03/20/2000 (Entered: 03/20/2000)
03/15/2000	26	MOTION filed by plaintiff CARLOS V. LUCENA for certificate of appealability ; Exhibits (2) (tth) (Entered: 03/20/2000)
03/20/2000		TRANSMITTED PRELIMINARY RECORD on appeal [25-1] and Motion for a Certificate of Appealability by CARLOS V. LUCENA to U.S. Court of Appeals (tth) Modified on 03/20/2000 (Entered: 03/20/2000)
03/28/2000		USCA # 00-5117 assigned for appeal [25-1] by CARLOS V. LUCENA (tth) (Entered: 03/29/2000)
04/04/2000	27	COPY of Order filed in USCA dated 3/30/00, referencing appeal [25-1] , directing case be held in abeyance pending resolution of the district court of appellant's motion for certificate of appealability. USCA 00-5117 (cjp) (Entered: 04/04/2000)
04/05/2000	28	ORDER by Judge Ellen S. Huvelle: denying as moot themotion for certificate of appealability [26-1] by CARLOS V. LUCENA (gdf) (Entered: 04/07/2000)
04/26/2000	29	MOTION filed by plaintiff CARLOS V. LUCENA to proceed in forma pauperis (bjsp) (Entered: 04/27/2000)
04/28/2000	30	ORDER by Judge Ellen S. Huvelle: denying motion as moot to proceed in forma pauperis [29-1] by CARLOS V. LUCENA (N) (gdf) (Entered: 05/01/2000)
04/28/2000		ORDER by Judge Ellen S. Huvelle granting motion to proceed in forma pauperis [29-1] by CARLOS V. LUCENA (fiat) (N) (bjsp) (Entered: 05/02/2000)
05/02/2000		TRANSMITTED supplemental record on appeal [25-1] by CARLOS V. LUCENA USCA No.: . (bjsp) (Entered: 05/02/2000)
05/03/2000		USCA # 00-5117 assigned for appeal [25-1] by CARLOS V. LUCENA (cjp) (Entered: 05/04/2000)

09/11/2000	31	COPY of Order filed in USCA dated 09/07/00, referencing appeal [25-1] , directing initial partial filing fee. USCA # 00-5117 (mmh) (Entered: 09/27/2000)
10/27/2000	32	CERTIFIED COPY of order filed in USCA dated 9/7/00, on appeal [25-1] , affirming the judgment of USDC . USCA # 00-5117 (bcs) (Entered: 10/30/2000)