

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:99-cv-00787-ESH**

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

Date Filed: 03/29/1999
Date Terminated: 02/07/2000
Jury Demand: None
Nature of Suit: 550 Prisoner Petition:
Civil Rights (Other)
Jurisdiction: U.S. Government
Defendant

Plaintiff**HOLSEY ELLINGBURG, JR.**

represented by **HOLSEY ELLINGBURG, JR.**
R#09172-021
LEAVENWORTH UNITED STATES
PENITENTIARY
P.O. Box 1000
Leavenworth, KS 66048-1000
PRO SE

V.

Defendant

ARLENE S. DAVIS
TERMINATED: 04/01/1999

Defendant

THOMAS A. SCHULZ
TERMINATED: 04/01/1999

Defendant

**FEDERAL DEPOSIT INSURANCE
CORPORATION**

represented by **Juanita L. Dean**
FEDERAL DEPOSIT INSURANCE
CORPORATION
Legal Division
801 17th Street, NW
Room H-2044
Washington, DC 20434
(202) 736-0380
Fax: 202-736-0584
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/29/1999	1	COMPLAINT filed by plaintiff HOLSEY ELLINGBURG JR.; Exhibits (7). (lkn) (Entered: 04/01/1999)

03/29/1999		SUMMONS (2) issued for defendant ARLENE S. DAVIS, defendant THOMAS A. SCHULZ (lkn) (Entered: 04/01/1999)
03/29/1999	2	APPLICATION by plaintiff HOLSEY ELLINGBURG JR. to proceed in forma pauperis (lkn) (Entered: 04/01/1999)
03/29/1999	3	PRISONER ACCOUNT STATEMENT filed by plaintiff HOLSEY ELLINGBURG JR. (lkn) (Entered: 04/01/1999)
03/29/1999	4	ORDER by Judge Aubrey E. Robinson : granting motion to proceed in forma pauperis [2-1] by HOLSEY ELLINGBURG JR. directing that monthly payments be made from the prisoner account of HOLSEY ELLINGBURG JR.. (N) (lkn) (Entered: 04/01/1999)
04/01/1999	5	ORDER by Judge Thomas F. Hogan : directint that the Federal Deposit Insurance Corporation be substituted as sole defendant in place of Arlene S. Davis and Thomas A. Schulz, who are dismissed; directing the Clerk to issue summons to the Federal Deposit Insurance Corporation and the United States Attorney along with a copy of the complaint and a copy of this order for service of process by the United States Marshal. (N) (gew) (Entered: 04/05/1999)
04/08/1999	6	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 4/7/99 (lkn) (Entered: 04/09/1999)
04/12/1999		SUMMONS (2) re-issued for federal defendant FDIC, federal defendant USA (lkn) (Entered: 04/13/1999)
04/23/1999	7	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 4/15/99 (jf) (Entered: 04/26/1999)
04/23/1999	8	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 4/15/99 (jf) (Entered: 04/26/1999)
05/07/1999	9	MOTION filed by federal defendant FDIC to extend time to June 16,1999 to answer or respond to the complaint [1-1] (jf) (Entered: 05/10/1999)
05/10/1999	10	ORDER by Judge Thomas F. Hogan : granting motion to extend time to June 16,1999 to answer or respond to the complaint [1-1] [9-1] by FDIC (N) (gew) (Entered: 05/11/1999)
06/08/1999	11	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 5/28/99 upon federal defendant THOMAS A. SCHULZ (jf) (Entered: 06/10/1999)
06/08/1999	12	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 5/28/99 upon federal defendant ARLENE S. DAVIS (jf) (Entered: 06/10/1999)
06/08/1999	13	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 5/28/99 upon federal defendant FDIC (jf) (Entered: 06/10/1999)
06/16/1999	14	MOTION filed by federal defendant FDIC to dismiss complaint [1-1] , or, in the alternative for summary judgment ; declaration (2) (tb) (Entered: 06/17/1999)
06/29/1999	15	ORDER by Judge Thomas F. Hogan : pltf to file response to motion of deft to dismiss or for summary judgment by 7/23/99 (N) (jaw) (Entered: 06/30/1999)

07/14/1999	16	RESPONSE by plaintiff HOLSEY ELLINGBURG JR. to motion to dismiss complaint [1-1] [14-1] by FDIC, motion for summary judgment [14-2] by FDIC; attachment (1) (tb) Modified on 07/15/1999 (Entered: 07/15/1999)
07/23/1999	17	REPLY by federal defendant FDIC in support of motion to dismiss complaint [1-1] [14-1] or, in the alternative for summary judgment [14-2] (jf) (Entered: 07/26/1999)
12/22/1999		REASSIGNMENT OF CIVIL CASE from Judge Hogan to Judge Ellen S. Huvelle by direction of the Calendar Committee. Emergency matters will continue to be handled by Judge Hogan until Judge Huvelle takes the oath of office. (N) (jeb) (Entered: 12/22/1999)
02/07/2000	18	MEMORANDUM OPINION by Judge Ellen S. Huvelle (N) (gdf) (Entered: 02/09/2000)
02/07/2000	19	ORDER by Judge Ellen S. Huvelle: granting motion for summary judgment in favor of federal defendant FDIC against plaintiff HOLSEY ELLINBURG [14-2] by FDIC; case is dismissed with prejudice. (N) (gdf) (Entered: 02/09/2000)
03/14/2000	20	ORDER by Judge Ellen S. Huvelle: directing to deduct nothing further from plaintiff's prison account for payment of the filing fee of this case. (N) (gdf) (Entered: 03/15/2000)
03/15/2000	21	NOTICE OF APPEAL by plaintiff HOLSEY ELLINGBURG JR. from order [19-1], entered on: 02/09/00; IFP-NO FEES PAID, copies mailed to Holsey Ellinburg, Jr, and Juanita L. Dean (tb) (Entered: 03/16/2000)
03/16/2000		TRANSMITTED PRELIMINARY RECORD on appeal [21-1] by HOLSEY ELLINGBURG JR. to U.S. Court of Appeals (tb) (Entered: 03/16/2000)
03/28/2000		USCA # 00-5118 assigned for appeal [21-1] by HOLSEY ELLINGBURG JR. (tb) (Entered: 03/29/2000)
01/18/2001	22	CERTIFIED COPY of judgment filed in USCA dated 11/1/00, on appeal [21-1] , affirming the judgment of USDC . USCA # 00-5118 (bcs) (Entered: 01/19/2001)