

CLOSED

**U.S. District Court
Middle District of Florida (Tampa)
CIVIL DOCKET FOR CASE #: 8:20-cv-01248-WFJ-CPT**

Hooker v. Wilkie et al
Assigned to: Judge William F. Jung
Referred to: Magistrate Judge Christopher P. Tuite
Cause: 05:0552 Right to Privacy Act

Date Filed: 06/01/2020
Date Terminated: 02/26/2021
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: Federal Question

Plaintiff**Carlton Eugene Hooker, Jr.**

represented by **Carlton Eugene Hooker, Jr.**
2678 N McMullen Booth Rd Apt. #8111
Clearwater, FL 33761
727-342-3282
PRO SE

V.

Defendant

Robert Wilkie
Secretary, Department of Veterans Affairs
TERMINATED: 08/11/2020

represented by **Stephanie Smith Leuthauser**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

William Barr
Attorney General, United States Department of Justice
TERMINATED: 08/11/2020

represented by **Stephanie Smith Leuthauser**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Office of Personnel Management**

represented by **Stephanie Smith Leuthauser**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Department of Veteran Affairs**

represented by **Stephanie Smith Leuthauser**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/01/2020	<u>1</u>	COMPLAINT against All Defendants. (Filing fee \$ 400, receipt number TPA61033) filed by Carlton E. Hooker, Jr. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Supplement)(MCB) (Entered: 06/01/2020)
06/01/2020	<u>2</u>	SUMMONS issued as to William Barr and Robert Wilkie.(MCB) (Entered: 06/01/2020)

06/01/2020	<u>3</u>	MOTION for Miscellaneous Relief, specifically for access to CM/ECF by Carlton E. Hooker, Jr. (MCB) (Entered: 06/01/2020)
06/04/2020	<u>4</u>	ORDER denying <u>3</u> Plaintiff's Request for Access to CM/ECF. Signed by Magistrate Judge Christopher P. Tuite on 6/4/2020. (AHA) (Entered: 06/04/2020)
06/09/2020	<u>5</u>	RELATED CASE ORDER AND NOTICE of designation under Local Rule 3.05 – track 2. Counsel and any unrepresented party shall meet within sixty days after service of the complaint upon any defendant for the purpose of preparing and filing a Case Management Report. Signed by Judge William F. Jung on 6/9/2020. (SAO) (Entered: 06/09/2020)
06/15/2020	<u>6</u>	NOTICE of pendency of related cases re <u>5</u> Related case order and track 2 notice per Local Rule 1.04(d) by Carlton E. Hooker, Jr. Related case(s): yes (JLD) (Entered: 06/15/2020)
06/15/2020	<u>7</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>5</u> Related case order and track 2 notice by Carlton E. Hooker, Jr. (JLD) (Entered: 06/15/2020)
07/02/2020	<u>8</u>	MOTION to Dismiss Complaint by All Defendants. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Leuthauser, Stephanie) (Entered: 07/02/2020)
07/02/2020	<u>9</u>	NOTICE of pendency of related cases per Local Rule 1.04(d) by William Barr, Robert Wilkie. Related case(s): Yes (Leuthauser, Stephanie) (Entered: 07/02/2020)
07/02/2020	<u>10</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>5</u> Related case order and track 2 notice by William Barr, Robert Wilkie. (Leuthauser, Stephanie) (Entered: 07/02/2020)
07/06/2020	<u>11</u>	MOTION for Summary Judgment by Carlton E. Hooker, Jr. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(MCB) (Entered: 07/07/2020)
07/10/2020	<u>12</u>	NOTICE by William Barr, Robert Wilkie re <u>8</u> MOTION to Dismiss Complaint (Attachments: # <u>1</u> Exhibit H)(Leuthauser, Stephanie) (Entered: 07/10/2020)
07/13/2020	<u>13</u>	ENDORSED ORDER: Plaintiff's response to the Motion to Dismiss (Doc. 8) is due July 20, 2020 according to the rules. Signed by Judge William F. Jung on 7/13/2020. (Jung, William) (Entered: 07/13/2020)
07/13/2020	<u>14</u>	RESPONSE to Motion re <u>8</u> MOTION to Dismiss Complaint filed by Carlton E. Hooker, Jr. (LNR) (Entered: 07/14/2020)
07/21/2020	<u>15</u>	MOTION to Stay <i>Response Deadlines and Case Management Deadlines</i> by All Defendants. (Leuthauser, Stephanie) (Entered: 07/21/2020)
07/21/2020	<u>16</u>	ENDORSED ORDER granting <u>15</u> Motion to Stay deadlines for responses and case management until the Court rules on the pending motion to dismiss. Signed by Judge William F. Jung on 7/21/2020. (CCB) (Entered: 07/21/2020)
07/23/2020	<u>17</u>	RESPONSE re <u>12</u> Notice (Other) filed by Carlton E. Hooker, Jr. (Attachments: # <u>1</u> Exhibit)(CRH) (Entered: 07/23/2020)
07/27/2020	<u>18</u>	RESPONSE re 16 Order on Motion to Stay filed by Carlton E. Hooker, Jr. (JLD) (Entered: 07/28/2020)
07/31/2020	<u>19</u>	ORDER granting <u>8</u> Motion to Dismiss. Should Plaintiff not file an amended complaint within fourteen (14) days, this case will be closed. Signed by Judge William F. Jung on 7/31/2020. (CCB) (Entered: 07/31/2020)
07/31/2020	<u>20</u>	ENDORSED ORDER denying as premature <u>11</u> Motion for Summary Judgment. Signed by Judge William F. Jung on 7/31/2020. (CCB) (Entered: 07/31/2020)
08/10/2020	<u>21</u>	AMENDED COMPLAINT against Office of Personnel Management and Department of Veteran's Affairs filed by Carlton E. Hooker, Jr. Related document: <u>1</u> Complaint filed by Carlton E. Hooker, Jr. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Civil Cover Sheet)(JLD) Modified on 8/12/2020 (JNB). Modified on 8/12/2020 (JLD). (Entered: 08/11/2020)

08/10/2020	<u>22</u>	NOTICE of pendency of related cases re <u>5</u> Related case order and track 2 notice per Local Rule 1.04(d) by Carlton E. Hooker, Jr. Related case(s): yes (JLD) (Entered: 08/11/2020)
08/11/2020	<u>23</u>	SUMMONS issued as to Office of Personnel Management, Department of Veteran Affairs. (JLD) Modified on 8/12/2020 (JNB). (Entered: 08/11/2020)
08/28/2020	<u>24</u>	MOTION for Miscellaneous Relief, specifically to Fix Response Deadline to Amended FOIA Complaint by Department of Veteran Affairs, Office of Personnel Management. (Leuthauser, Stephanie) (Entered: 08/28/2020)
08/31/2020	25	ENDORSED ORDER granting <u>24</u> Motion for extension of time. The September 22, 2020 due date suggested by the motion is permissible. Signed by Judge William F. Jung on 8/31/2020. (Jung, William) (Entered: 08/31/2020)
08/31/2020	<u>26</u>	MOTION for Miscellaneous Relief, specifically Court Order by Carlton E. Hooker, Jr. (Attachments: # <u>1</u> Supplement)(JLD) (Entered: 09/01/2020)
09/03/2020	27	ENDORSED ORDER denying <u>26</u> Motion. Movant must use normal case discovery methods per Fed. R. Civ. P. Signed by Judge William F. Jung on 9/3/2020. (Jung, William) (Entered: 09/03/2020)
09/16/2020	28	ENDORSED ORDER: Counsel and any unrepresented party shall meet within ten (10) days of the date of this Order for the purpose of preparing and filing a Case Management Report. This meeting may take place telephonically. The parties shall utilize the Case Management Report form located at the Court's website www.flmd.uscourts.gov/judges/william-jung. Unless otherwise ordered by the Court, a party may not seek discovery from any source before the meeting. Fed. R. Civ. P. 26 (d); Local Rule 3.05(c)(2)(B). Signed by Judge William F. Jung on 9/16/2020. (SAO) (Entered: 09/16/2020)
09/17/2020	<u>29</u>	MOTION for Summary Judgment against OPM, MOTION for Partial Summary Judgment against the VA by Carlton E. Hooker, Jr. (LNR) (Entered: 09/18/2020)
09/22/2020	<u>30</u>	MOTION to Dismiss Plaintiff's Amended FOIA Complaint by Department of Veteran Affairs, Office of Personnel Management. (Leuthauser, Stephanie) (Entered: 09/22/2020)
09/22/2020	<u>31</u>	MOTION for Miscellaneous Relief, specifically Motion to Redesignate Case to Track One or Stay Case Management Requirements by Department of Veteran Affairs, Office of Personnel Management. (Attachments: # <u>1</u> Exhibit Exhibit A)(Leuthauser, Stephanie) (Entered: 09/22/2020)
09/22/2020	32	ENDORSED ORDER granting <u>31</u> Motion to Redesignate Case to Track One. Signed by Judge William F. Jung on 9/22/2020. (CCB) (Entered: 09/22/2020)
09/22/2020	<u>33</u>	RELATED CASE ORDER AND NOTICE of designation under Local Rule 3.05 – track 1. Signed by Judge William F. Jung on 9/22/2020. (SAO) (Entered: 09/22/2020)
10/01/2020	<u>34</u>	MOTION for Extension of Time to File Response/Reply as to <u>29</u> MOTION for Summary Judgment, MOTION for Partial Summary Judgment by Department of Veteran Affairs, Office of Personnel Management. (Leuthauser, Stephanie) (Entered: 10/01/2020)
10/02/2020	35	ENDORSED ORDER granting <u>34</u> Motion for Extension of Time to File Response / Reply. Signed by Judge William F. Jung on 10/2/2020. (Jung, William) (Entered: 10/02/2020)
10/05/2020	<u>36</u>	MOTION for Recusal, MOTION for Extension of Time to File Response as to <u>30</u> MOTION to Dismiss Plaintiff's Amended FOIA Complaint by Carlton E. Hooker, Jr. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Mailing Envelope)(CRH) (Entered: 10/06/2020)
10/07/2020	37	ENDORSED ORDER: Plaintiff has moved for an extension of time to respond to the motion at Doc. 30. The extension is granted. Any response to Doc. 30 is due no later than November 20, 2020. Any reply to the response is due no later than November 30, 2020. Signed by Judge William F. Jung on 10/7/2020. (Jung, William) (Entered: 10/07/2020)

10/07/2020	<u>38</u>	ORDER denying <u>36</u> Motion for Recusal. Signed by Judge William F. Jung on 10/7/2020. (CCB) (Entered: 10/07/2020)
10/26/2020	<u>39</u>	MOTION to Disqualify Judge by Carlton Eugene Hooker, Jr. (Attachments: # <u>1</u> Exhibit 1-3)(AG) (Entered: 10/26/2020)
11/06/2020	<u>40</u>	RESPONSE in Opposition re <u>39</u> MOTION to Disqualify Judge filed by Department of Veteran Affairs, Office of Personnel Management. (Leuthauser, Stephanie) (Entered: 11/06/2020)
11/19/2020	<u>41</u>	***ENTERED IN ERROR.*** Modified on 11/20/2020 (JLD). (Entered: 11/20/2020)
11/19/2020	<u>42</u>	RESPONSE to Motion re <u>30</u> MOTION to Dismiss Plaintiff's Amended FOIA Complaint filed by Carlton Eugene Hooker, Jr. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(JLD) Modified on 11/20/2020 (AG). (Entered: 11/20/2020)
12/07/2020	<u>43</u>	MOTION to Transfer Case by Carlton Eugene Hooker, Jr. (AG) (Entered: 12/07/2020)
12/21/2020	<u>44</u>	RESPONSE in Opposition re <u>43</u> MOTION to Change Venue / Transfer Case filed by Department of Veteran Affairs, Office of Personnel Management. (Leuthauser, Stephanie) (Entered: 12/21/2020)
01/05/2021	45	ENDORSED ORDER denying <u>43</u> Motion to Change Venue / Transfer Case. The motion appears to seek transfer to a case number that has been closed for some time. The transferee case is not open and has been dismissed. The grounds to support a transfer in the interest of justice and judicial economy are not met. Signed by Judge William F. Jung on 1/5/2021. (Jung, William) (Entered: 01/05/2021)
01/05/2021	46	ENDORSED ORDER denying <u>39</u> Motion to Disqualify Judge. The Motion contends the undersigned committed fraud upon the court by the undersigned's Order found here at Doc. 19. The basis for the Motion is objections to that Order, which dismissed the complaint without prejudice. Mr. Hooker contends this Court erred and did so fraudulently. At base, the Motion complains of the judicial act entered at Doc. 19. If Doc. 19 is in error, the appropriate remedy is to obtain a final judgment and take an appeal to the Eleventh Circuit, whose job is to carefully review the work of the district court. The Court of Appeals does indeed undertake a careful review of district court orders. Objections to a judicial act as stated by the Motion does not set forth sufficient grounds to support disqualification of the district judge. For these reasons and for reasons stated by the Government in their opposition to the Motion, the Motion is denied. Signed by Judge William F. Jung on 1/5/2021. (Jung, William) (Entered: 01/05/2021)
01/13/2021	<u>47</u>	MOTION for Declaratory Relief by Carlton Eugene Hooker, Jr. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(AG) (Entered: 01/14/2021)
02/03/2021	<u>48</u>	ORDER denying as moot <u>29</u> Motion for Summary Judgment and for Partial Summary Judgment; granting <u>30</u> Motion to Dismiss; and denying <u>47</u> Motion for Declaratory Judgment. Should Plaintiff replead, any amended complaint must be consistent with the attached order and filed within fourteen (14) days. Signed by Judge William F. Jung on 2/3/2021. (CCB) (Entered: 02/03/2021)
02/26/2021	49	ENDORSED ORDER: There being no amended complaint within the time set forth, the Clerk will close this file and enter judgment for defendant in this matter. Signed by Judge William F. Jung on 2/26/2021. (Jung, William) (Entered: 02/26/2021)
02/26/2021	<u>50</u>	JUDGMENT in favor of Department of Veteran Affairs, Office of Personnel Management against Carlton Eugene Hooker, Jr. Signed by Deputy Clerk on 2/26/2021. (LNR) (Entered: 02/26/2021)