

U.S. District Court
Southern District of Ohio (Dayton)
CIVIL DOCKET FOR CASE #: 3:20-cv-00194-WHR-SKB

Jarrell v. Dept. of the Army
Assigned to: Judge Walter H. Rice
Referred to: Magistrate Judge Stephanie K. Bowman
Demand: \$1,600,000
Cause: 05:552 Right to Privacy Act

Date Filed: 05/26/2020
Date Terminated: 04/19/2021
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Stephen P. Jarrell**

represented by **Stephen P. Jarrell**
485 Caldwell Circle
New Carlisle, OH 45344
PRO SE

V.

Defendant**Army Review Boards Agency**

represented by **Jade K Smarda**
United States Attorney's Office
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/26/2020	<u>1</u>	COMPLAINT against Army Review Boards Agency, filed by Stephen P. Jarrell. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit A-J, # <u>3</u> Envelope) (jmb) (Entered: 05/26/2020)
05/26/2020	<u>2</u>	Summons Issued as to Department of the Army, Army Review Boards Agency, U.S. Attorney and U.S. Attorney General (jmb) (Entered: 05/26/2020)
05/26/2020	<u>3</u>	Filing fee: \$ 400.00, receipt number 300DAY23778 (pb) (Entered: 05/26/2020)
06/15/2020	<u>4</u>	SUMMONS Returned Executed as to Defendant Army Review Boards Agency. Army Review Boards Agency served on 5/30/2020, answer due 8/30/2020. (pb) Modified on 6/16/2020 (pb). (Entered: 06/15/2020)
06/16/2020		Set/Reset Deadlines: Army Review Boards Agency answer due 8/31/2020. (pb) (Entered: 06/16/2020)
07/27/2020	<u>5</u>	STIPULATION for Extension of Time by Defendant Army Review Boards Agency. (Attachments: # <u>1</u> Exhibit A) (Smarda, Jade) (Entered: 07/27/2020)
08/10/2020	<u>6</u>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Defendant Army Review Boards Agency. (Attachments: # <u>1</u> Attachment 1, # <u>2</u> Attachment 2) (Smarda, Jade) (Entered: 08/10/2020)
08/17/2020	<u>7</u>	PLAINTIFF'S MEMORANDUM IN OPPOSITION TO DEFENDANTS/ MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED - RE: <u>6</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Plaintiff Stephen P. Jarrell. (Attachments: # <u>1</u> Exhibit K 1-7, # <u>2</u> Exhibit L 1-3, # <u>3</u> Exhibit M, # <u>4</u> Exhibit N, # <u>5</u> Exhibit O, # <u>6</u> Exhibit P, # <u>7</u> Exhibit Q) (srb) (Entered: 08/17/2020)

08/31/2020	<u>8</u>	PLAINTIFF'S MOTION REQUESTING THE APPOINTMENT OF COUNSEL by Plaintiff Stephen P. Jarrell. (srb) (Entered: 08/31/2020)
08/31/2020	<u>9</u>	STIPULATION <i>Extension of Time to File Reply</i> by Defendant Army Review Boards Agency. (Attachments: # <u>1</u> Exhibit A) (Smarda, Jade) (Entered: 08/31/2020)
08/31/2020	<u>10</u>	ORDER DENYING WITHOUT PREJUDICE PRO SE PLAINTIFF'S MOTION TO APPOINT COUNSEL (DOC. <u>8</u>). Signed by Magistrate Judge Michael J. Newman on 8/31/2020. (srb)(This document has been sent by regular mail to the party(ies) listed in the NEF that did not receive electronic notification.) (Entered: 08/31/2020)
09/08/2020	<u>11</u>	REPLY to Response to Motion re <u>6</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Defendant Army Review Boards Agency. (Smarda, Jade) (Entered: 09/08/2020)
10/16/2020	<u>12</u>	REPORT AND RECOMMENDATION THAT: (1) DEFENDANTS MOTION TO DISMISS (DOC. 6) BE GRANTED; (2) THIS CASE BE TERMINATED ON THE DOCKET; AND (3) PLAINTIFF BE DENIED IN FORMA PAUPERIS STATUS ON APPEAL – In light of the foregoing, the undersigned RECOMMENDS that: 1. Defendants motion to dismiss be GRANTED; 2. This case be TERMINATED ON THE DOCKET; 3. If Plaintiff elects to appeal this decision, he be DENIED in forma pauperis status on appeal, see 28 U.S.C. § 1915(a)(3); and 4. Plaintiff be ADVISED that further attempts to file similar complaints in this District may result in the Court deeming him a vexatious litigator and/or imposing other appropriate sanctions. Objections to R&R due by 10/30/2020. Signed by Magistrate Judge Michael J. Newman on 10/16/2020. (srb)(This document has been sent by regular mail to the party(ies) listed in the NEF that did not receive electronic notification.) (Entered: 10/16/2020)
10/28/2020	<u>13</u>	OBJECTION to <u>12</u> Report and Recommendations by Plaintiff Stephen P. Jarrell. (pb) (Entered: 10/28/2020)
11/12/2020	<u>14</u>	Response re <u>13</u> Objection to Report and Recommendations <i>Response in Opposition to Objections</i> by Defendant Army Review Boards Agency. (Smarda, Jade) (Entered: 11/12/2020)
11/16/2020	<u>15</u>	ORDER: Magistrate Judge Stephanie K. Bowman added. Judge Michael J. Newman no longer assigned as referral judge to case. Signed by Chief Judge Algenon L. Marbley on 11/16/2020. (ss) (Entered: 11/17/2020)
04/19/2021	<u>16</u>	DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS (DOC. # <u>12</u>);OVERRULING PLAINTIFF'S OBJECTION (DOC. # <u>13</u>); SUSTAINING MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM PURSUANT TO FED. R. CIV. P. 12 (b)(6) (DOC. # <u>6</u>); JUDGMENT TO ENTER IN FAVOR OF DEFENDANT AND AGAINST PLAINTIFF; PLAINTIFF FORMALLY ADVISED OF INHERENT COURT AUTHORITY TO DECLARE HIM A HARASSING AND VEXATIOUS LITIGATOR PURSUANT TO 28 U.S.C. § 1927; ANTICIPATED MOTION FOR LEAVE TO APPEAL IN FORMA PAUPERIS DENIED; TERMINATION ENTRY. Signed by Judge Walter H. Rice on 4/16/2021. (srb)(This document has been sent by regular mail to the party(ies) listed in the NEF that did not receive electronic notification.) (Entered: 04/19/2021)
04/19/2021	<u>17</u>	CLERK'S JUDGMENT. Signed on 4/19/2021. (srb)(This document has been sent by regular mail to the party(ies) listed in the NEF that did not receive electronic notification.) (Entered: 04/19/2021)