

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:21-cv-00024-ALC**

Cox v. Johnson et al
Assigned to: Judge Andrew L. Carter, Jr
Cause: 05:552 Freedom of Information Act

Date Filed: 01/04/2021
Date Terminated: 04/30/2021
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Theodore Cox**

represented by **Theodore Norwood Cox**
Law Office of Theodore Cox
401 Broadway
Suite 701
New York, NY 10013
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ATTORNEY TO BE NOTICED

V.

Defendant

Tae D. Johnson
*in his official capacity as Deputy Director
of U.S. Immigration and Customs
Enforcement*
TERMINATED: 03/22/2021

Defendant

Jonathan Fahey
*in his official capacity as Senior Official
performing the duties of the Director of
the U.S. Immigration and Customs
Enforcement*
TERMINATED: 03/22/2021

Defendant

Chad F. Wolf
*in his official capacity as Secretary of
Department of Homeland Security*
TERMINATED: 03/22/2021

Defendant**U.S. Immigration and Custom
Enforcement**

represented by **Rachael Lightfoot Doud**
U.S. Attorney Office SDNY
86 Chambers Street
New York, NY 10007
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text

01/04/2021	<u>1</u>	COMPLAINT against JONATHAN FAHEY, TAE D. JOHNSON, Chad F. Wolf. (Filing Fee \$ 402.00, Receipt Number BNYSDC-23336583) Document filed by THEODORE N. COX..(Cox, Theodore) (Entered: 01/04/2021)
01/04/2021	<u>2</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to Jeffrey A. Rosen, re: <u>1</u> Complaint. Document filed by THEODORE N. COX..(Cox, Theodore) Modified on 1/5/2021 (pc). (Entered: 01/04/2021)
01/04/2021	<u>3</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to TAE D. JOHNSON, re: <u>1</u> Complaint. Document filed by THEODORE N. COX..(Cox, Theodore) Modified on 1/5/2021 (pc). (Entered: 01/04/2021)
01/04/2021	<u>4</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to TAE D. JOHNSON, re: <u>1</u> Complaint. Document filed by THEODORE N. COX..(Cox, Theodore) Modified on 1/5/2021 (pc). (Entered: 01/04/2021)
01/04/2021	<u>5</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to Chad F. Wolf, re: <u>1</u> Complaint. Document filed by THEODORE N. COX..(Cox, Theodore) Modified on 1/5/2021 (pc). (Entered: 01/04/2021)
01/04/2021	<u>6</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Attorney for the Southern District of New York, re: <u>1</u> Complaint. Document filed by THEODORE N. COX..(Cox, Theodore) Modified on 1/5/2021 (pc). (Entered: 01/04/2021)
01/05/2021		***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney Theodore Norwood Cox. The party information for the following party/parties has been modified: JONATHAN FAHEY, TAE D. JOHNSON, Chad F. Wolf, THEODORE N. COX. The information for the party/parties has been modified for the following reason/reasons: party name was entered in all caps; party text was omitted;. (pc) (Entered: 01/05/2021)
01/05/2021		***NOTICE TO ATTORNEY TO ELECTRONICALLY FILE CIVIL COVER SHEET. Notice to Attorney Theodore Norwood Cox. Attorney must electronically file the Civil Cover Sheet. Use the event type Civil Cover Sheet found under the event list Other Documents. (pc) (Entered: 01/05/2021)
01/05/2021		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney Theodore Norwood Cox to RE-FILE Document No. <u>5</u> Request for Issuance of Summons, <u>4</u> Request for Issuance of Summons, <u>3</u> Request for Issuance of Summons, <u>2</u> Request for Issuance of Summons, <u>6</u> Request for Issuance of Summons. The filing is deficient for the following reason(s): the PDF attached to the docket entry for the issuance of summons is not correct; Use the FIOA summons form not the standard summons form. Only parties listed on the complaint caption title can be issued a summons;. Re-file the document using the event type Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (pc) (Entered: 01/05/2021)
01/05/2021		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Andrew L. Carter, Jr. Please download and review the Individual Practices of the assigned District Judge, located at https://nysd.uscourts.gov/judges/district-judges . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at https://nysd.uscourts.gov/rules/ecf-related-instructions ..(pc) (Entered: 01/05/2021)
01/05/2021		Magistrate Judge Katharine H. Parker is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf . (pc) (Entered: 01/05/2021)

01/05/2021		Case Designated ECF. (pc) (Entered: 01/05/2021)
01/05/2021	<u>7</u>	CIVIL COVER SHEET filed..(Cox, Theodore) (Entered: 01/05/2021)
01/14/2021	<u>8</u>	FILING ERROR – DEFICIENT SUMMONS REQUEST – PDF ERROR REQUEST FOR ISSUANCE OF SUMMONS as to Jeffery Rosen, re: <u>1</u> Complaint. Document filed by Theodore Cox..(Cox, Theodore) Modified on 1/15/2021 (sj). (Entered: 01/14/2021)
01/14/2021	<u>9</u>	FILING ERROR – DEFICIENT SUMMONS REQUEST – PDF ERROR REQUEST FOR ISSUANCE OF SUMMONS as to Jonathan Fahey, re: <u>1</u> Complaint. Document filed by Theodore Cox..(Cox, Theodore) Modified on 1/15/2021 (sj). (Entered: 01/14/2021)
01/14/2021	<u>10</u>	FILING ERROR – DEFICIENT SUMMONS REQUEST – PDF ERROR REQUEST FOR ISSUANCE OF SUMMONS as to Tae D. Johnson, re: <u>1</u> Complaint. Document filed by Theodore Cox..(Cox, Theodore) Modified on 1/15/2021 (sj). (Entered: 01/14/2021)
01/14/2021	<u>11</u>	FILING ERROR – DEFICIENT SUMMONS REQUEST – PDF ERROR REQUEST FOR ISSUANCE OF SUMMONS as to Chad F. Wolf, re: <u>1</u> Complaint. Document filed by Theodore Cox..(Cox, Theodore) Modified on 1/15/2021 (sj). (Entered: 01/14/2021)
01/15/2021		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney Theodore Norwood Cox to RE-FILE Document No. <u>8</u> Request for Issuance of Summons, <u>11</u> Request for Issuance of Summons, <u>9</u> Request for Issuance of Summons, <u>10</u> Request for Issuance of Summons. The filing is deficient for the following reason(s): the PDF attached to the docket entry for the issuance of summons is not correct; Use the Summons in a Civil Action (FIOA) form, NOT the standard summons form. Only parties listed on the complaint caption title can be issued a summons. Re-file the document using the event type Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (sj) (Entered: 01/15/2021)
01/26/2021	<u>12</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Tae D. Johnson, re: <u>1</u> Complaint. Document filed by Theodore Cox..(Cox, Theodore) (Entered: 01/26/2021)
01/26/2021	<u>13</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Jonathan Fahey, re: <u>1</u> Complaint. Document filed by Theodore Cox..(Cox, Theodore) (Entered: 01/26/2021)
01/26/2021	<u>14</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Chad F. Wolf, re: <u>1</u> Complaint. Document filed by Theodore Cox..(Cox, Theodore) (Entered: 01/26/2021)
01/26/2021	<u>15</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Jonathan Fahey, re: <u>1</u> Complaint. Document filed by Theodore Cox..(Cox, Theodore) (Entered: 01/26/2021)
01/26/2021	<u>16</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUESTED – WRONG EVENT TYPE SELECTED FROM MENU – REQUEST FOR ISSUANCE OF AMENDED SUMMONS as to Tae D. Johnson, re: <u>1</u> Complaint. Document filed by Theodore Cox., REQUEST FOR ISSUANCE OF SUMMONS as to Tae D. Johnson, re: <u>1</u> Complaint. Document filed by Theodore Cox..(Cox, Theodore) Modified on 3/19/2021 (pc). (Entered: 01/26/2021)
01/28/2021	<u>17</u>	ELECTRONIC SUMMONS ISSUED as to Tae D. Johnson..(dnh) (Entered: 01/28/2021)
01/28/2021	<u>18</u>	ELECTRONIC SUMMONS ISSUED as to Jonathan Fahey..(dnh) (Entered: 01/28/2021)
01/28/2021	<u>19</u>	ELECTRONIC SUMMONS ISSUED as to Chad F. Wolf..(dnh) (Entered: 01/28/2021)
01/28/2021	<u>20</u>	ELECTRONIC SUMMONS ISSUED as to Jonathan Fahey..(dnh) (Entered: 01/28/2021)
03/18/2021	<u>21</u>	FILING ERROR – DEFICIENT PLEADING – PDF ERROR – AMENDED COMPLAINT amending <u>1</u> Complaint against U.S. Immigration and Custom Enforcement.Document filed by Theodore Cox. Related document: <u>1</u> Complaint..(Cox,

		Theodore) Modified on 3/19/2021 (pc). (Entered: 03/18/2021)
03/18/2021	<u>22</u>	REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Immigration and Custom Enforcement, re: <u>21</u> Amended Complaint. Document filed by Theodore Cox..(Cox, Theodore) (Entered: 03/18/2021)
03/19/2021		***NOTICE TO ATTORNEY REGARDING DEFICIENT PLEADING. Notice to Attorney Theodore Norwood Cox to RE-FILE Document No. <u>21</u> Amended Complaint,. The filing is deficient for the following reason(s): the PDF attached to the docket entry for the pleading is not correct; Caption title reads "Complaint". Re-file the pleading using the event type Amended Complaint found under the event list Complaints and Other Initiating Documents – attach the correct signed PDF – select the individually named filer/filers – select the individually named party/parties the pleading is against. (pc) (Entered: 03/19/2021)
03/19/2021		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney Theodore Norwood Cox to RE-FILE Document No. <u>22</u> Request for Issuance of Summons. The filing is deficient for the following reason(s): The summons requested was not processed due to the deficient pleading. Please file your request for summons when you correct and refile your pleading.;; Re-file the document using the event type Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (pc) (Entered: 03/19/2021)
03/19/2021	<u>23</u>	AMENDED COMPLAINT amending <u>21</u> Amended Complaint, against U.S. Immigration and Custom Enforcement.Document filed by Theodore Cox. Related document: <u>21</u> Amended Complaint,..(Cox, Theodore) (Entered: 03/19/2021)
03/19/2021	<u>24</u>	REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Immigration and Custom Enforcement, re: <u>21</u> Amended Complaint, <u>23</u> Amended Complaint. Document filed by Theodore Cox..(Cox, Theodore) (Entered: 03/19/2021)
03/22/2021	<u>25</u>	ELECTRONIC SUMMONS ISSUED as to U.S. Immigration and Custom Enforcement..(jgo) (Entered: 03/22/2021)
03/25/2021	<u>26</u>	NOTICE OF APPEARANCE by Rachael Lightfoot Doud on behalf of U.S. Immigration and Custom Enforcement..(Doud, Rachael) (Entered: 03/25/2021)
04/01/2021	<u>27</u>	ANSWER to <u>23</u> Amended Complaint. Document filed by U.S. Immigration and Custom Enforcement..(Doud, Rachael) (Entered: 04/01/2021)
04/02/2021	<u>28</u>	ORDER: The parties are hereby ORDERED to file a joint status report, including how they would like to proceed in the litigation, by no later than May 3, 2021. SO ORDERED. (Signed by Judge Andrew L. Carter, Jr on 4/2/2021) (jca) (Entered: 04/02/2021)
04/29/2021	<u>29</u>	MOTION to Withdraw <u>23</u> Amended Complaint, <u>1</u> Complaint . Document filed by Theodore Cox..(Cox, Theodore) (Entered: 04/29/2021)
04/30/2021	<u>30</u>	STIPULATION OF VOLUNTARY DISMISSAL It is hereby stipulated and agreed by and between the parties and/or their respective counsel(s) that the above-captioned action is voluntarily dismissed, with prejudice against the defendant(s) All Parties and without costs pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure. Document filed by U.S. Immigration and Custom Enforcement. Proposed document to be reviewed and processed by Clerk's Office staff (No action required by chambers) ...(Doud, Rachael) (Entered: 04/30/2021)
04/30/2021	<u>31</u>	MEMO ENDORSEMENT on re: <u>29</u> MOTION to Withdraw <u>23</u> Amended Complaint, <u>1</u> Complaint . filed by Theodore Cox, ENDORSEMENT: Plaintiff's motion is GRANTED. The case is deemed voluntarily dismissed pursuant to FRCP 41(a)(2). The Clerk of Court is respectfully directed to close this case. SO ORDERED. (Signed by Judge Andrew L. Carter, Jr on 4/30/2021) (rj) (Entered: 04/30/2021)