

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:01-cv-00294-RCL

KIRKPATRICK v. RUBIN, et al
Assigned to: Chief Judge Royce C. Lamberth
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 02/07/2001
Date Terminated: 07/21/2003
Jury Demand: Plaintiff
Nature of Suit: 550 Prisoner Petition: Civil Rights (Other)
Jurisdiction: U.S. Government Defendant

Plaintiff**MICHAEL JOSEPH KIRKPATRICK**

represented by **MICHAEL JOSEPH KIRKPATRICK**
R20806-018
MEMPHIS FEDERAL CORRECTIONAL
INSTITUTION
1101 John A. Denie Road
P.O. Box 34550
Memphis, TN 38134-0550
PRO SE

V.

Defendant**ROBERT RUBIN***Secretary, Department of Treasury*

represented by **Rosalind Kennedy**
U.S. DEPARTMENT OF JUSTICE
Office of Information and Privacy
Flag Building
Suite 570
Washington, DC 20530-0001
(202) 616-2576
Email: rosalind.kennedy@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**JOHN W. MAGAW***Director, B.A.T.F.*

represented by **Rosalind Kennedy**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**MARILYN R. LABRIE***Specialist F.O.I., B.A.T.F.*

represented by **Rosalind Kennedy**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/07/2001	1	COMPLAINT filed by plaintiff MICHAEL JOSEPH KIRKPATRICK; jury demand (glb) (Entered: 02/17/2001)
02/07/2001		SUMMONS NOT ISSUED. (glb) (Entered: 02/17/2001)
02/07/2001	2	APPLICATION by plaintiff MICHAEL JOSEPH KIRKPATRICK to proceed in forma pauperis (glb) (Entered: 02/17/2001)
02/07/2001	3	ORDER by Judge Royce C. Lamberth : directing prisoner plaintiff to provide a trust fund statement to the court by 3/17/01 for MICHAEL JOSEPH KIRKPATRICK . (N) (glb) (Entered: 02/17/2001)

03/01/2001	4	RESPONSE by plaintiff MICHAEL JOSEPH KIRKPATRICK to order directing prisoner plaintiff to provide a trust fund statement to the court by 3/17/01 for MICHAEL JOSEPH KIRKPATRICK . [3-1], order [3-2] (cjp) (Entered: 03/21/2001)
03/21/2001	5	ORDER by Judge Richard W. Roberts : directing prisoner plaintiff to provide a trust fund statement to the court by 4/20/01 for MICHAEL JOSEPH KIRKPATRICK . (N) (cjp) (Entered: 03/21/2001)
05/23/2001	6	ORDER by Judge Paul L. Friedman : denying motion to proceed in forma pauperis [2-1] by MICHAEL JOSEPH KIRKPATRICK dismissing complaint [1-1] without prejudice for lack of compliance with the filing fee requirements of the PLRA of 1995 (N) (cjp) (Entered: 05/23/2001)
05/23/2001	7	FINAL JUDGMENT entered by the Clerk dismissing the complaint without prejudice. (N) (cjp) (Entered: 05/23/2001)
06/13/2001		BOND filed in the amount of 25,000 by plaintiff MICHAEL JOSEPH KIRKPATRICK upon The Hartford Fire Insurance Company (cjp) (Entered: 07/11/2001)
06/21/2001	8	MOTION filed by plaintiff MICHAEL JOSEPH KIRKPATRICK for reconsideration of order dismissing complaint [1-1] without prejudice for lack of compliance with the filing fee requirements of the PLRA of 1995 [6-1], order [6-2] (cjp) (Entered: 06/26/2001)
07/05/2001	9	ORDER by Judge Thomas F. Hogan : granting motion for reconsideration of order dismissing complaint [1-1] without prejudice for lack of compliance with the filing fee requirements of the PLRA of 1995 [6-1]; [6-2] [8-1] by MICHAEL JOSEPH KIRKPATRICK; vacating order dismissing complaint [1-1] without prejudice for lack of compliance with the filing fee requirements of the PLRA of 1995 [6-1], vacating order [6-2] directing prisoner plaintiff to provide a trust fund statement to the court by 8/4/01 for MICHAEL JOSEPH KIRKPATRICK . (N) (glb) (Entered: 07/05/2001)
07/05/2001		Case Reopened (glb) (Entered: 07/09/2001)
09/10/2001	10	ORDER by Judge Ellen S. Huvelle : denying motion to proceed in forma pauperis [2-1] by MICHAEL JOSEPH KIRKPATRICK and dismissing case without prejudice for failure to comply with the Prison Litigation Reform Act. (N) (glb) Modified on 09/10/2001 (Entered: 09/10/2001)
09/10/2001	11	FINAL JUDGMENT entered by the Clerk dismissing the complaint without prejudice. (N) (glb) (Entered: 09/10/2001)
10/10/2001	12	RESPONSE plaintiff MICHAEL JOSEPH KIRKPATRICK to order directing prisoner plaintiff to provide a trust fund statement to the court by 8/4/01 for MICHAEL JOSEPH KIRKPATRICK . [9-1], order [9-2] (glh) (Entered: 10/10/2001)
10/10/2001	13	ORDER by Judge Colleen Kollar-Kotelly : granting construed motion for relief from judgment [#12] by MICHAEL JOSEPH KIRKPATRICK and vacating the Final Judgment [#11] and the Order of Dismissal [#10] It is FURTHER ORDERED that this case is hereby REOPENED. (N) (glh) (Entered: 10/25/2001)
10/10/2001		Case Reopened (mon) (Entered: 11/06/2001)
10/25/2001	14	ORDER by Judge Colleen Kollar-Kotelly : directing that monthly payments be made from the prisoner account of MICHAEL JOSEPH KIRKPATRICK and granting motion to proceed in forma pauperis [2-1] by MICHAEL JOSEPH KIRKPATRICK (N) (glh) (Entered: 10/25/2001)
10/25/2001		CASE REASSIGNED to Judge Royce C. Lamberth (tth) (Entered: 10/25/2001)
10/31/2001		SUMMONS (3) issued to federal party(s) federal defendant ROBERT RUBIN, and non-parties: U.S. Attorney and U.S. Attorney General. (tth) (Entered: 11/01/2001)
11/06/2001	15	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 11/2/01 upon federal defendant ROBERT RUBIN (tth) (Entered: 11/07/2001)
11/06/2001	16	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 11/2/01 (tth) (Entered: 11/07/2001)

11/19/2001	17	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 10/31/01 (tth) (Entered: 11/20/2001)
11/21/2001	18	ATTORNEY APPEARANCE for federal defendant ROBERT RUBIN, federal defendant JOHN W. MAGAW, federal defendant MARILYN R. LABRIE by Rosalind Kennedy (jf) (Entered: 11/23/2001)
12/03/2001	19	ANSWER TO COMPLAINT [1-1] by federal defendant. (nmr) (Entered: 12/04/2001)
12/04/2001	21	MOTION filed by plaintiff MICHAEL JOSEPH KIRKPATRICK to clarify and explain the actions of this Court (tth) (Entered: 12/06/2001)
12/06/2001	<u>20</u>	ORDER by Judge Royce C. Lamberth : directing defendants to file any dispositive motions within 10 days. (N) (mon) (Entered: 12/06/2001)
12/20/2001	22	MOTION filed by federal defendant ROBERT RUBIN to extend time to 1/24/02 to file a motion for summary judgment (nmr) (Entered: 12/21/2001)
12/26/2001	<u>23</u>	ORDER by Judge Royce C. Lamberth : granting motion to extend time to 1/24/02 to file a motion for summary judgment [22-1] by ROBERT RUBIN; motion for summary judgment due by 1/24/02 ; (N) (jf) (Entered: 12/27/2001)
01/15/2002	24	RESPONSE by plaintiff MICHAEL JOSEPH KIRKPATRICK in opposition to any enlargement of filing times to this court . (cas) (Entered: 01/16/2002)
01/15/2002	25	RESPONSE by plaintiff MICHAEL JOSEPH KIRKPATRICK in clarification that without professional knowledge in the Federal Civil laws and formal professional practice with which to fully comprehend the language filed in answer, plaintiff request this case be ordered to comply with every day common law terms and words most commonly used by the layman, in pro se proceedings. (cas) (Entered: 01/16/2002)
01/24/2002	26	MOTION filed by federal defendants for summary judgment ; Attachments (1); Declarations (1); Exhibits (14) (nmr) (Entered: 01/25/2002)
02/22/2002	<u>27</u>	ORDER by Judge Royce C. Lamberth : plaintiff's response to motion for summary judgment due 3/18/02 (N) (mon) (Entered: 02/26/2002)
02/22/2002	<u>28</u>	ORDER by Judge Royce C. Lamberth : granting motion to clarify and explain the actions of this Court [21-1] by MICHAEL JOSEPH KIRKPATRICK (N) (mon) (Entered: 02/26/2002)
03/06/2002	29	STATEMENT filed by plaintiff MICHAEL JOSEPH KIRKPATRICK, regarding: continuance for award and jury trial upon the findings of harm by defendants; Declaration (1). (nmr) (Entered: 03/07/2002)
03/06/2002	30	MOTION filed by plaintiff MICHAEL JOSEPH KIRKPATRICK for appointment of counsel (nmr) (Entered: 03/07/2002)
03/26/2002	31	STATEMENT filed by plaintiff MICHAEL JOSEPH KIRKPATRICK , regarding: his case. (nmr) (Entered: 03/27/2002)
07/03/2002	<u>32</u>	MEMORANDUM AND ORDER by Judge Royce C. Lamberth : denying motion for appointment of counsel [30-1] by MICHAEL JOSEPH KIRKPATRICK, denying without prejudice motion for summary judgment [26-1] by MARILYN R. LABRIE, JOHN W. MAGAW, ROBERT RUBIN; directing that defendants file certain supplemental material and a renewed motion for summary judgment within 45 days. (N) (mon) (Entered: 07/03/2002)
08/19/2002	33	MOTION (RENEWED) filed by federal defendants for summary judgment ; attachments (16) (mpt) (Entered: 08/20/2002)
08/23/2002	<u>34</u>	ORDER by Judge Royce C. Lamberth :directing plaintiff to respond to defendant's motion for summary judgment by 9-24-02; response to motion for summary judgment due 9/24/02 (N) (rew) (Entered: 08/26/2002)
10/18/2002	<u>35</u>	ORDER by Judge Royce C. Lamberth : granting motion for summary judgment [33-1] by MARILYN R. LABRIE, JOHN W. MAGAW, ROBERT RUBIN; entering judgment for the defendant; this is a final appealable order. (N) (mon) (Entered: 10/18/2002)

10/18/2002	<u>36</u>	MEMORANDUM OPINION by Judge Royce C. Lamberth (N) (mon) (Entered: 10/18/2002)
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