

**U.S. District Court  
DISTRICT OF ARIZONA (Tucson Division)  
CIVIL DOCKET FOR CASE #: 4:21-cv-00318-RCC**

Alferez v. Immigration and Customs Enforcement  
Assigned to: Senior Judge Raner C Collins  
Related Cases: 4:17-cv-00111-RCC  
4:21-cv-00390-RCC-PSOT  
Cause: 05:552 Freedom of Information Act

Date Filed: 08/09/2021  
Date Terminated: 05/03/2022  
Jury Demand: None  
Nature of Suit: 540 Prisoner: Mandamus & Other  
Jurisdiction: U.S. Government Defendant

**Plaintiff****Marco Antonio Alferez**

represented by **Marco Antonio Alferez**  
#66514-280  
TUCSON-AZ-TUCSON-USP  
D-2  
U.S. PENITENTIARY  
P.O. BOX 24550  
TUCSON, AZ 85734  
PRO SE

V.

**Defendant**

**Immigration and Customs  
Enforcement**  
*named as (ICE) Immigration & Customs  
Enforcement at U.S. Agency*

represented by **Michael Alexander Ambri**  
US Attorneys Office – Tucson, AZ  
405 W Congress St., Ste. 4800  
Tucson, AZ 85701-4050  
520-620-7300  
Fax: 520-620-7138  
Email: [Michael.Ambri@usdoj.gov](mailto:Michael.Ambri@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
08/09/2021	<u>1</u>	COMPLAINT filed by Marco Antonio Alferez. (10 pages) (Attachments: # <u>1</u> Exhibit, # <u>2</u> Envelope)(JAM) (Entered: 08/09/2021)
08/09/2021	<u>2</u>	NOTICE OF ASSIGNMENT (JAM) (Entered: 08/09/2021)
08/11/2021	<u>3</u>	ORDERED: Within 30 days of the date this Order is filed, Plaintiff must either pay the \$350.00 filing fee and \$52.00 administrative fee or file a complete Application to Proceed In Forma Pauperis and a certified six-month trust account statement. If Plaintiff fails to comply, the Clerk of Court must enter a judgment of dismissal of this action without prejudice and without further notice to Plaintiff and deny any pending unrelated motions as moot. The Clerk of Court must mail Plaintiff a court-approved form for filing an Application to Proceed In Forma Pauperis (Non-Habeas). Signed by Senior Judge Raner C Collins on 8/11/2021. (MCO) (Entered: 08/11/2021)
08/25/2021	<u>4</u>	Filing fee: \$402.00, receipt number TUC033413. PAID IN FULL. (SCA) (Entered: 08/25/2021)
09/09/2021	<u>5</u>	ORDER (Service Packet): Defendant Immigration and Customs Enforcement must answer the Complaint (Doc. <u>1</u> ).The Clerk of Court must send Plaintiff a service packet including the Complaint (Doc. <u>1</u> ), this Order, and summons forms for Defendant Immigration and Customs Enforcement and the United States. Plaintiff must complete and return the service packet to the Clerk of Court within 21 days of the date of filing of this Order. The Clerk of Court will not provide service of process if Plaintiff fails to comply with this Order. Upon receipt of the service packet, the Clerk of Court must send by certified mail a copy of the Summons, the Complaint, and this

		Order to (1) the civil process clerk at the office of the United States Attorney for the District of Arizona; (2) the Attorney General of the United States; and (3) Defendant Immigration and Customs Enforcement, pursuant to Rule 4(i)(2) of the Federal Rules of Civil Procedure. Signed by Senior Judge Raner C Collins on 09/09/2021. (See attached Order for complete information.)(SCA) (Entered: 09/09/2021)
10/07/2021	<u>7</u>	SERVICE EXECUTED: Certified Mail Receipt re: Complaint, Order, and Summons upon United States Attorney General on 10/4/2021. (DLC) (Entered: 10/08/2021)
10/29/2021	<u>8</u>	NOTICE OF ATTORNEY APPEARANCE: Michael A. Ambri appearing for Immigration and Customs Enforcement. . (Ambri, Michael) (Entered: 10/29/2021)
10/29/2021	<u>9</u>	First MOTION for Extension of Time to File Answer re: <u>1</u> Complaint <i>Unopposed</i> by Immigration and Customs Enforcement. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Ambri, Michael) (Entered: 10/29/2021)
11/01/2021	<u>10</u>	ORDER granting <u>9</u> Motion for Extension of Time to Answer re: <u>1</u> Complaint. Immigration and Customs Enforcement answer due 11/12/2021. Signed by Senior Judge Raner C Collins on 11/1/2021. (MCO) (Entered: 11/01/2021)
11/12/2021	<u>11</u>	Second MOTION for Extension of Time to File Answer by Immigration and Customs Enforcement. (Ambri, Michael) (Entered: 11/12/2021)
11/12/2021	<u>12</u>	Additional Attachments to Main Document re: <u>11</u> Second MOTION for Extension of Time to File Answer ( <i>Proposed Order</i> ) by Defendant Immigration and Customs Enforcement. (Ambri, Michael) (Entered: 11/12/2021)
11/12/2021	<u>13</u>	ORDER GRANTING Defendant's <u>11</u> Unopposed Motion to Extend Deadline for Response to Complaint. Defendant shall file its response on or before 11/26/21. Signed by Senior Judge Raner C Collins on 11/12/21. (BAC) (Entered: 11/12/2021)
11/26/2021	<u>14</u>	Consent MOTION for Abeyance by Immigration and Customs Enforcement. (Attachments: # <u>1</u> Proposed Order)(Ambri, Michael) (Entered: 11/26/2021)
11/30/2021	<u>15</u>	ORDER granting <u>14</u> Motion Consent MOTION for Abeyance. This action shall be held in abeyance until January 7, 2022. Absent a stipulation of dismissal, Plaintiff has until January 7, 2022 to either amend his complaint or file a notice with this Court indicating he wishes to proceed with the litigation. If no such filing is made, the Clerk of Court shall dismiss this case without prejudice. Signed by Senior Judge Raner C Collins on 11/29/2021. (See attached Order for complete information.) (SCA) (Entered: 11/30/2021)
01/06/2022	<u>16</u>	Consent MOTION to Continue Abeyance by Immigration and Customs Enforcement. (Attachments: # <u>1</u> Proposed Order)(Ambri, Michael) (Entered: 01/06/2022)
01/07/2022	<u>17</u>	ORDER granting <u>16</u> Consent MOTION to Continue Abeyance. This action shall be held in abeyance until 2/7/22. Absent a stipulation of dismissal, Plaintiff has until 2/7/22 to either amend his complaint or file a notice indicating he wishes to proceed with this litigation. If no such filing is made, the Clerk of Court shall dismiss the case without prejudice. Signed by Senior Judge Raner C Collins on 1/6/22. (JAM) (Entered: 01/07/2022)
02/08/2022	<u>18</u>	Third MOTION for Extension of Time Continue Abeyance by Immigration and Customs Enforcement. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Ambri, Michael) (Entered: 02/08/2022)
02/08/2022	<u>19</u>	ORDER that Defendant's Consent Motion to Continue in Abeyance is GRANTED. (Doc. <u>18</u> .) This action shall be held in abeyance until March 7, 2022. Absent a notice of settlement or stipulation for dismissal, Plaintiff shall file a motion for costs on or before March 7, 2022. Signed by Senior Judge Raner C Collins on 2/8/2022. (MCO) (Entered: 02/08/2022)
03/04/2022	<u>20</u>	MOTION for Costs by Marco Antonio Alferez. (1 page) (JAM) (Entered: 03/07/2022)
03/14/2022	<u>21</u>	MOTION for Costs by Marco Antonio Alferez. (1 page) (JAM) (Entered: 03/15/2022)
03/18/2022	<u>22</u>	RESPONSE to Motion re: <u>20</u> MOTION for Costs, <u>21</u> MOTION for Costs filed by Immigration and Customs Enforcement. (Ambri, Michael) (Entered: 03/18/2022)

03/29/2022	<u>23</u>	ORDERED that Plaintiff's Motion for Costs is DENIED. (Doc. <u>20</u> .) IT IS FURTHER ORDERED that Plaintiff's Motion for Costs is DENIED. (Doc. <u>21</u> .) Signed by Senior Judge Raner C Collins on 3/29/2022. (MCO) (Entered: 03/29/2022)
05/03/2022	<u>24</u>	STIPULATION of Dismissal <i>with prejudice</i> by Immigration and Customs Enforcement. (Attachments: # <u>1</u> Proposed Order)(Ambri, Michael) (Entered: 05/03/2022)
05/03/2022	<u>25</u>	ORDER granting <u>24</u> Stipulation of Dismissal: This action is dismissed with prejudice. The Clerk of Court shall docket accordingly. Signed by Senior Judge Raner C Collins on 5/3/2022. (MCO) (Entered: 05/03/2022)
05/03/2022	<u>26</u>	CLERK'S JUDGMENT – IT IS ORDERED AND ADJUDGED, pursuant to the parties Joint Stipulation of Dismissal with Prejudice, that this case is dismissed with prejudice. (MCO) (Entered: 05/03/2022)