

**U.S. District Court**  
**District of Rhode Island (Providence)**  
**CIVIL DOCKET FOR CASE #: 1:22-cv-00073-WES-LDA**

Velasquez v. Flores et al  
Assigned to: District Judge William E. Smith  
Referred to: Magistrate Judge Lincoln D. Almond  
Case in other court: U.S. Court of Appeals for the First Circuit, 22-01252  
Cause: 05:552 Freedom of Information Act

Date Filed: 02/15/2022  
Date Terminated: 07/19/2022  
Jury Demand: None  
Nature of Suit: 890 Other Statutory Actions  
Jurisdiction: Federal Question

**Plaintiff****Diego Velasquez**

represented by **Diego Velasquez**  
165 Julian Street Unit 2  
Providence, RI 02909  
401-300-1399  
PRO SE

V.

**Defendant**

**Angela Mendez Flores**  
*Senior Paralegal Specialist*

**Defendant**

**Elliot Viker**  
*Acting Director, FOIA Operations*

Date Filed	#	Docket Text
02/15/2022	<u>1</u>	COMPLAINT, filed by Diego Velasquez. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Envelope)(Kenny, Meghan) (Entered: 02/15/2022)
02/15/2022	<u>2</u>	MOTION for Leave to Proceed in forma pauperis filed by Diego Velasquez. (Kenny, Meghan) (Entered: 02/15/2022)
02/15/2022	<u>3</u>	CLERKS NOTE: Blank Summons and USM-285 form filed by Plaintiff. (Attachments: # <u>1</u> blank USM-285 form) (Kenny, Meghan) (Entered: 02/15/2022)
03/01/2022		MOTIONS REFERRED: <u>2</u> MOTION for Leave to Proceed in forma pauperis referred for determination to Magistrate Judge Lincoln D. Almond. (Urizandi, Nissheneyra) (Entered: 03/01/2022)
03/30/2022	<u>4</u>	MEMORANDUM AND ORDER Re: <u>2</u> Motion for Leave to Proceed in forma pauperis filed by Diego Velasquez. So Ordered by Magistrate Judge Lincoln D. Almond on 3/30/2022. (Leyva, Lucia) (Entered: 03/30/2022)
04/05/2022	<u>5</u>	NOTICE OF APPEAL by Diego Velasquez as to <u>4</u> Memorandum and Order  <b>NOTICE TO COUNSEL: Counsel should register for a First Circuit CM/ECF Appellate Filer Account at <a href="http://pacer.psc.uscourts.gov/cmecf/">http://pacer.psc.uscourts.gov/cmecf/</a>. Counsel should also review the First Circuit requirements for electronic filing by visiting the CM/ECF Information section at <a href="http://www.ca1.uscourts.gov/cmecf">http://www.ca1.uscourts.gov/cmecf</a> Appeal Record due by 4/12/2022. (Attachments: # <u>1</u> Email)(DaCruz, Kayla) (Entered: 04/05/2022)</b>
04/05/2022	<u>6</u>	MOTION for Leave to Proceed in forma pauperis filed by Diego Velasquez. (Attachments: # <u>1</u> IFP Signed Page, # <u>2</u> Email)(DaCruz, Kayla) (Entered: 04/05/2022)
04/05/2022	<u>7</u>	CLERK'S CERTIFICATE AND APPELLATE COVER SHEET: Abbreviated record on appeal consisting of notice of appeal, order(s) being appealed, and a certified copy

		of the district court docket report transmitted to the U.S. Court of Appeals for the First Circuit in accordance with 1st Cir. R. 11.0(b). <u>5</u> Notice of Appeal,, (Attachments: # <u>1</u> Record on Appeal)(DaCruz, Kayla) (Entered: 04/05/2022)
04/06/2022		USCA Case Number 22–1252 for <u>5</u> Notice of Appeal,, filed by Diego Velasquez. (DaCruz, Kayla) (Entered: 04/06/2022)
05/02/2022		TEXT ORDER denying as moot <u>6</u> Motion for Leave to Proceed in forma pauperis. So Ordered by District Judge William E. Smith on 5/2/2022. (Urizandi, Nissheneyra) (Entered: 05/02/2022)
06/07/2022	<u>8</u>	JUDGMENT of the U.S. Court of Appeals for the First Circuit entered as to <u>5</u> Notice of Appeal, filed by Diego Velasquez, by David J. Barron, Chief Appellate Judge; Sandra L. Lynch, Appellate Judge and Rogeriee Thompson, Appellate Judge: Upon review of appellant's response to this court's order to show cause, the appeal is dismissed because there is no interlocutory jurisdiction from this non–final order. [22–1252 (Kenny, Meghan) (Entered: 06/07/2022)
06/29/2022	<u>9</u>	REPORT AND RECOMMENDATIONS recommending that this matter be DISMISSED WITHOUT PREJUDICE. <u>1</u> Complaint filed by Diego Velasquez. <b>Objections to R&amp;R due by 7/13/2022.</b> So Ordered by Magistrate Judge Lincoln D. Almond on 6/29/2022. (Noel, Jeannine) (Entered: 06/30/2022)
07/08/2022	<u>10</u>	OBJECTION to <u>9</u> Report and Recommendations filed by Diego Velasquez. (Attachments: # <u>1</u> Supplement, # <u>2</u> Envelope)(Kenny, Meghan) (Entered: 07/08/2022)
07/19/2022		TEXT ORDER accepting and adopting <u>9</u> Report and Recommendations in full over Plaintiff's <u>10</u> Objection. As Magistrate Judge Almond explained in his Memorandum and Order of March 30, 2022, ECF No. <u>4</u> , this case cannot proceed against individual government employees; rather, Plaintiff is required to name the proper federal agency as Defendant. Because Plaintiff has failed to cure this problem, and this Court may not proceed until he does, his Complaint is DISMISSED without prejudice to refiling. So Ordered by District Judge William E. Smith on 7/19/2022. (Urizandi, Nissheneyra) (Entered: 07/19/2022)
07/19/2022	<u>11</u>	JUDGMENT dismissing this civil action without prejudice to refiling. So Ordered by the Clerk of Court on 7/19/2022. (Urizandi, Nissheneyra) (Entered: 07/19/2022)
08/01/2022	<u>12</u>	MANDATE of the U.S. Court of Appeals for the First Circuit issued as to and in accordance with <u>8</u> Judgment of the U.S. Court of Appeals for the First Circuit. (Kenny, Meghan) (Entered: 08/01/2022)