

**U.S. District Court
Southern District of Ohio (Cincinnati)
CIVIL DOCKET FOR CASE #: 1:21-cv-00733-MWM**

Trujillo Diaz v. U.S. Immigration and Customs Enforcement
Assigned to: Judge Matthew W. McFarland
Cause: 05:552 Freedom of Information Act

Date Filed: 11/23/2021
Date Terminated: 01/13/2023
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Maribel Trujillo Diaz**

represented by **Kathleen Caroline Kersh**
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ATTORNEY TO BE NOTICED

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TERMINATED: 04/26/2022

V.

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

represented by **Jade K Smarda**
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LEAD ATTORNEY
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Date Filed	#	Docket Text
11/23/2021	<u>1</u>	COMPLAINT against U.S. Immigration and Customs Enforcement (Filing fee \$ 402 paid – receipt number: AOHSDC-8606681), filed by Maribel Trujillo Diaz. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons Form Summons) (Kersh, Kathleen) (Entered: 11/23/2021)
11/23/2021		If this case is referred, it will be to Magistrate Judge Stephanie K. Bowman. (eh) (Entered: 11/23/2021)
11/23/2021	<u>2</u>	Summons Issued as to U.S. Immigration and Customs Enforcement, U.S. Attorney and U.S. Attorney General. (eh) (Main Document 2 replaced to correct duplicate summons for U.S. Attorney on 11/23/2021. NEF Regenerated.) (eh). (Entered: 11/23/2021)
11/29/2021	<u>3</u>	CERTIFICATE OF MAILING BY CLERK – Certified mail service has been performed by the Clerk, U.S. District Court on November 29, 2021. A copy of the

		summons and complaint was sent by certified mail to the following locations: U.S. Immigration and Customs Enforcement 500 12th St., SW, Washington, D.C. 20536 (Article No. 7018 1830 0000 9538 4601); U.S. Attorney General U.S. Dept of Justice 950 Pennsylvania Avenue, NW, Washington, D.C. 20530 (Article No. 7018 1830 0000 9538 4625); U.S. Attorney for the Southern District of Ohio 221 E. 4th St., Cincinnati, Ohio 45202 (Article No. 7018 1830 0000 9538 4618) (pb) (Entered: 11/29/2021)
12/15/2021	<u>5</u>	SUMMONS Returned Executed as to Defendant U.S. Immigration and Customs Enforcement, U.S. Attorney and U.S. Attorney General. Defendants served on 12/6/2021, answer due 2/1/2022. (kl) Modified date answer due on 12/15/2021 (kl). (Entered: 12/15/2021)
12/15/2021		Notice of Correction re [FORMER DOC.4]– Please disregard former doc. 4. Document restricted by Clerk as wrong event used. Please see Doc. <u>5</u> for corrected filing. (kl) (Entered: 12/15/2021)
12/15/2021		Set/Reset Deadlines: U.S. Immigration and Customs Enforcement answer due 2/1/2022. (kl) (Entered: 12/15/2021)
12/30/2021	<u>6</u>	STIPULATION <i>For Extension of Time</i> by Defendant U.S. Immigration and Customs Enforcement. (Smarda, Jade) (Entered: 12/30/2021)
12/30/2021		Reset Deadlines per doc <u>6</u> : U.S. Immigration and Customs Enforcement answer due 1/24/2022. (kh) (Entered: 12/30/2021)
01/24/2022	<u>7</u>	Unopposed MOTION for Extension of Time to File Answer New date requested 2/7/2022. by Defendant U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Exhibit Exhibit A Proposed Order) (Smarda, Jade) (Entered: 01/24/2022)
01/24/2022		Notation Order: This civil case is before the Court on Defendant's unopposed motion (Doc. <u>7</u>) for an extension of time to answer, move, or otherwise respond to Plaintiff's complaint. For good cause shown, the motion is GRANTED. (Doc. <u>7</u>). Defendant now has until February 7, 2022 to answer, move, or otherwise respond to the complaint. IT IS SO ORDERED. Signed by Judge Timothy S. Black on 1/24/2022. (rrs) (Entered: 01/24/2022)
02/08/2022	<u>8</u>	Unopposed MOTION for Extension of Time to File Answer New date requested 2/22/2022. by Defendant U.S. Immigration and Customs Enforcement. (Smarda, Jade) (Entered: 02/08/2022)
02/08/2022		Notation Order: This civil case is before the Court on Defendant's unopposed motion (Doc. <u>8</u>) for an extension of time to answer, move, or otherwise respond to Plaintiff's complaint. Per the motion, the parties are working on an extrajudicial resolution to the issues in the complaint. For good cause shown, the motion is GRANTED. (Doc. <u>8</u>). Defendant now has until February 22, 2022 to answer, move, or otherwise respond to the complaint. IT IS SO ORDERED. Signed by Judge Timothy S. Black on 2/8/2022. (rrs) (Entered: 02/08/2022)
02/22/2022	<u>9</u>	Joint MOTION to Stay <i>Case for 75 Days</i> by Defendant U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order) (Smarda, Jade) (Entered: 02/22/2022)
02/24/2022		Notation Order: This civil matter is before the Court on the parties' joint motion (Doc. <u>9</u>) for a stay of 75 days. The parties state they need time to conduct an agency review on a potential extrajudicial resolution. (<i>Id.</i>). For good cause shown, the motion is GRANTED. (Doc. <u>9</u>). The case is STAYED for 75 days. If there is no resolution, Defendant shall file an answer or another responsive pleading by May 24, 2022. IT IS SO ORDERED. Signed by Judge Timothy S. Black on 2/24/2022. (rrs) (Entered: 02/24/2022)
02/24/2022		Set/Reset Deadlines (rrs) (Entered: 02/24/2022)
04/26/2022	<u>10</u>	NOTICE by Plaintiff Maribel Trujillo Diaz <i>of withdrawal of counsel</i> (Brown, Emily) (Entered: 04/26/2022)
05/24/2022	<u>11</u>	Joint MOTION to Stay <i>Proceedings for an Additional 21 days until June 14, 2022</i> by Defendant U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order) (Smarda, Jade) (Entered: 05/24/2022)

06/07/2022	<u>12</u>	ORDER REASSIGNING CASE. Case reassigned to Judge Matthew W. McFarland for all further proceedings. Judge Timothy S. Black no longer assigned to case. Signed by Chief Judge Algenon L. Marbley on 6/1/22. (jcw) (Entered: 06/07/2022)
06/09/2022	<u>13</u>	ORDER GRANTING JOINT MOTION TO STAY PROCEEDINGS FOR ADDITIONAL 21 DAYS (Doc. <u>11</u>): This matter is hereby STAYED for 21 days, until June 14,2022. If the case does not resolve during the pendency of the stay, then Defendant shall file an answer or other responsive filing within fourteen (14) days of the stay' s expiration. IT IS SO ORDERED. Signed by Judge Matthew W. McFarland on 06/09/2022. (kaf) (Entered: 06/09/2022)
06/28/2022	<u>14</u>	Joint MOTION to Stay <i>Proceedings for an Additional 21 Days until July 19, 2022</i> by Defendant U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order) (Smarda, Jade) (Entered: 06/28/2022)
07/14/2022	<u>15</u>	ORDER GRANTING JOINT MOTION TO STAY PROCEEDINGS FOR ADDITIONAL 21 DAYS (Doc. <u>14</u>): This matter is before the Court on the Parties Joint Motion to Stay Proceedings anAdditional 21 Days (Doc. No. <u>14</u>). Pursuant to this Courts inherent authority to manage its docket, the foregoing Motion (Doc. No. <u>14</u>) is GRANTED. Dietz v. Bouldin, 579 U.S. 40,47, 136 S. Ct. 1885, 1892 (2016) (citing Landis v. North American Co., 299 U. S. 248, 254, 57S. Ct. 163, 81 L. Ed. 153 (1936)). This matter is hereby STAYED for 21 days, until July 20,2022. If the case does not resolve during the pendency of the stay, then Defendant shall file an answer or other responsive filing within fourteen (14) days of the stays expiration. IT IS SO ORDERED. Signed by Judge Matthew W. McFarland on 07/14/2022. (kaf) (Entered: 07/14/2022)
08/02/2022	<u>16</u>	Joint MOTION to Stay <i>Additional 21 Days</i> by Defendant U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Exhibit Proposed Order) (Smarda, Jade) (Entered: 08/02/2022)
08/04/2022		NOTATION ORDER: For good cause, the Court GRANTS the parties' Joint Motion to Stay Proceedings for an Additional 21 Days. This matter is hereby STAYED for 21 days from the date of this Order. If the case does not resolve during the pendency of the stay, then Defendant shall file an answer or other responsive filing within 14 days of the stay's expiration. IT IS SO ORDERED. Signed by Judge Matthew W. McFarland on 08/04/2022. (kaf) (Entered: 08/04/2022)
09/06/2022	<u>17</u>	Joint MOTION to Stay <i>Additional 21 days</i> by Defendant U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order Exhibit A Proposed Order) (Smarda, Jade) (Entered: 09/06/2022)
09/08/2022	<u>18</u>	ORDER GRANTING JOINT MOTION TO STAY PROCEEDINGS FOR 21 DAYS: This matter is before the Court on the Parties' Joint Motion to Stay Proceedingsan Additional 21 Days. Pursuant to this Court's inherent authority to manage its docket, the foregoing Motion (ECF No. <u>17</u>) is GRANTED. Dietz v. Bouldin, 579 U.S. 40, 47, 136 S. Ct. 1885, 1892 (2016) (citing Landis v. North American Co., 299 U. S. 248, 254, 57 S. Ct. 163, 81 L. Ed. 153 (1936)). This matter is hereby STAYED for 21 days, from the date of this Order. If the case does not resolve during the pendency of the stay, then Defendant shall file an answer or other responsive filing within fourteen (14) days of the stay's expiration. IT IS SO ORDERED. Signed by Judge Matthew W. McFarland on 09/08/2022. (kaf) (Entered: 09/08/2022)
10/11/2022	<u>19</u>	Joint MOTION to Stay <i>Proceedings for an additional 21 Days – until November 1, 2022</i> by Defendant U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Exhibit A – Proposed Order) (Smarda, Jade) (Entered: 10/11/2022)
10/13/2022	<u>20</u>	ORDER GRANTING JOINT MOTION TO STAY PROCEEDINGS FOR 21 DAYS: This matter is before the Court on the Parties Joint Motion to Stay Proceedings an Additional 21 Days. Pursuant to this Courts inherent authority to manage its docket, the foregoing Motion (ECF No. <u>19</u>) is GRANTED. Dietz v. Bouldin, 579 U.S. 40, 47, 136 S. Ct. 1885, 1892 (2016) (citing Landis v. North American Co., 299 U.S. 248, 254, 57 S. Ct. 163, 81 L. Ed. 153 (1936)). This matter is hereby STAYED for 21 days, from the date of this Order. If the case does not resolve during the pendency of the stay, then Defendant shall file an answer or other responsive filing within fourteen (14) days of the stays expiration. IT IS SO ORDERED. Signed by Judge Matthew W. McFarland on 10/13/2022. (kaf) (Entered: 10/13/2022)

11/15/2022	<u>21</u>	MOTION for Extension of Time to File Answer New date requested 11/28/2022. <i>or other Responsive Filing</i> by Defendant U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order) (Smarda, Jade) (Entered: 11/15/2022)
11/18/2022		NOTATION ORDER: For good cause, the Defendant's Motion for Extension to File Answer or Other Responsive Filing is GRANTED. Defendant shall file an answer or other responsive filing on or before November 28, 2022. Signed by Judge Matthew W. McFarland on 11/18/2022. (kaf) (Entered: 11/18/2022)
11/27/2022	<u>22</u>	Joint MOTION to Stay <i>Reinstate Stay for Additional 21 Days</i> by Defendant U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order) (Smarda, Jade) (Entered: 11/27/2022)
11/28/2022	<u>23</u>	ORDER GRANTING JOINT MOTION TO STAY PROCEEDINGS FOR 21 DAYS: This matter is before the Court on the Parties' Joint Motion to Stay Proceedings an Additional 21 Days. Pursuant to this Court's inherent authority to manage its docket, the foregoing Motion (ECF No. <u>22</u>) is GRANTED. <i>Dietz v. Bouldin</i> , 579 U.S. 40, 47 (2016) (citing <i>Landis v. North American Co.</i> , 299 U. S. 248, 254, (1936)). This matter is hereby STAYED until and including December 19, 2022. If the case does not resolve during the pendency of the stay, then Defendant shall file an answer or other responsive filing within fourteen (14) days of the stay's expiration. IT IS SO ORDERED. Signed by Judge Matthew W. McFarland on 11/28/2022. (kaf) (Entered: 11/28/2022)
11/28/2022		Deadline reset per Doc. <u>23</u> : Stay deadline 12/19/2022. (kaf) (Entered: 11/28/2022)
11/29/2022	<u>24</u>	ORDER re <u>23</u> ORDER GRANTING JOINT MOTION TO STAY PROCEEDINGS FOR 21 DAYS (SIGNED). Signed by Judge Matthew W. McFarland on 11/28/2022. (kaf) (Entered: 11/29/2022)
01/03/2023	<u>25</u>	Unopposed MOTION for Extension of Time New date requested 1/17/2023. , Unopposed MOTION for Extension of Time to File Answer New date requested 1/17/2023. (Responses due by 1/24/2023) by Defendant U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order) (Smarda, Jade) (Entered: 01/03/2023)
01/05/2023	<u>26</u>	ORDER GRANTING UNOPPOSED MOTION OF DEFENDANT FOR EXTENSION TO ANSWER OR FILE OTHER RESPONSIVE FILING: This matter is before the Court on Defendant's Motion for 14–Day Extension to File Answer or Other Responsive Filing. For good cause shown, and consistent with Fed. R. Civ. P. 6(b)(1)(A), the Motion (ECF No. <u>25</u>) is GRANTED. Defendant shall file an answer or other responsive filing on or before January 17, 2023. IT IS SO ORDERED. Signed by Judge Matthew W. McFarland on 01/05/2023. (kaf) (Entered: 01/05/2023)
01/13/2023	<u>27</u>	CONDITIONAL ORDER OF DISMISSAL. Signed by Judge Matthew W. McFarland on 01/13/2023. (kaf) (Entered: 01/13/2023)