

**US District Court Electronic Case Filing System
District of Utah (Central)
CIVIL DOCKET FOR CASE #: 2:22-cv-00182-HCN**

Hall v. United States of America et al
Assigned to: Judge Howard C. Nielson, Jr
Case in other court: Missouri Eastern, 4:21-cv-01138
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 03/21/2022
Date Terminated: 05/09/2023
Jury Demand: Plaintiff
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff

Virgil Hall

represented by **Virgil Hall**
1020 S 14TH ST APT 314
ST LOUIS, MO 63104
PRO SE

V.

Defendant

United States of America
TERMINATED: 03/03/2022

Defendant

State of Utah
TERMINATED: 03/03/2022

Defendant

**Washington County Purgatory
Correctional Facility**
Purgatory herein

Defendant

Davis County Jail

Defendant

Iron County Jail

Defendant

Dept. of Justice
*Executive Office for United States
Attorneys FOIA (DOJ/EOUSA/FOIA
herein)*
TERMINATED: 03/03/2022

Defendant

Paul Kohler
Asst. U.S. Attorney

Defendant

C. Aldred
Corrections Officer

Defendant

K. Larsen
Washington City Fire

Date Filed	#	Docket Text
09/20/2021	<u>1</u>	COMPLAINT against All Defendants, Non–Jury Demand, filed by Virgil Hall. (Attachments: # <u>1</u> Exhibits, # <u>2</u> Envelope)(JWD) [Transferred from Missouri Eastern on 3/21/2022.] (Entered: 09/21/2021)
09/20/2021	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by Plaintiff Virgil Hall. (JWD) [Transferred from Missouri Eastern on 3/21/2022.] (Entered: 09/21/2021)
09/21/2021		Case Opening Notification. Judge Assigned: Honorable Rodney W. Sippel. (JWD) [Transferred from Missouri Eastern on 3/21/2022.] (Entered: 09/21/2021)
09/21/2021		***Complaint Letter Created. This is to advise you that this office has received and filed your complaint and has assigned it the above–referenced case number. (JWD) [Transferred from Missouri Eastern on 3/21/2022.] (Entered: 09/21/2021)
09/21/2021		***Complaint Letter Processed (see notice of electronic filing for distribution list) Tue Sep 21 14:01:18 CDT 2021 (admin,) [Transferred from Missouri Eastern on 3/21/2022.] (Entered: 09/21/2021)
01/18/2022	<u>4</u>	MEMORANDUM AND ORDER: IT IS HEREBY ORDERED that plaintiff's motion for leave to proceed in forma pauperis (Docket No. <u>2</u>) is GRANTED. IT IS FURTHER ORDERED that the Clerk of Court shall send to plaintiff a copy of the Court's civil complaint form. IT IS FURTHER ORDERED that plaintiff shall file an amended complaint on the Court–provided form within thirty (30) days of the date of this order, in accordance with the instructions set forth above. IT IS FURTHER ORDERED that if plaintiff fails to file an amended complaint on the Court–provided form in accordance with the instructions set forth above within thirty (30) days of the date of this order, this action will be dismissed without prejudice and without further notice. IT IS FURTHER ORDERED that upon receipt of plaintiff's amended complaint, the Court will review it pursuant to 28 U.S.C. § 1915. Signed by District Judge Rodney W. Sippel on 1/18/2022. (KEK) [Transferred from Missouri Eastern on 3/21/2022.] (Entered: 01/18/2022)
01/18/2022		ORDER RECEIPT: (see receipt) Docket No: 4. Tue Jan 18 13:37:27 CST 2022 (Kratzer, Katie) [Transferred from Missouri Eastern on 3/21/2022.] (Entered: 01/18/2022)
03/03/2022	<u>5</u>	AMENDED COMPLAINT against defendant Davis County Jail, Iron County Jail, Paul Kohler, C. Aldred, K. Larsen, Terminating United States of America, Dept. of Justice (Executive Office for United States Attorneys FOIA (DOJ/EOUSA/FOIA herein)) and State of Utah Amendment to <u>1</u> Complaint none Summons(es) issued, Waivers issued no, Consents issued no, Jury demand,, filed by Virgil Hall. Related document: <u>1</u> Complaint filed by Virgil Hall.(NEP) [Transferred from Missouri Eastern on 3/21/2022.] (Entered: 03/03/2022)
03/04/2022	<u>6</u>	MEMORANDUM AND ORDER: IT IS HEREBY ORDERED that the Clerk of Court shall transfer this case to the United States District Court for the District of Utah. See 28 U.S.C. § 1406(b). Signed by District Judge Rodney W. Sippel on 3/4/2022. (KEK) [Transferred from Missouri Eastern on 3/21/2022.] (Entered: 03/04/2022)
03/04/2022		ORDER RECEIPT: (see receipt) Docket No: 6. Fri Mar 4 14:29:53 CST 2022 (Kratzer, Katie) [Transferred from Missouri Eastern on 3/21/2022.] (Entered: 03/04/2022)
03/21/2022	<u>7</u>	Case transferred in from USDC of Missouri Eastern; Case Number 4:21–cv–01138. Original file, certified copy of transfer order and docket sheet received. USDC for the District of Utah case number 2:22–cv–00182–JNP, Assigned to Judge Jill N. Parrish. (Entered: 03/21/2022)
06/13/2022	<u>8</u>	Correspondence from Virgil Hall (Please note: docket sheet has been mailed to Mr. Hall). (alf) (Entered: 06/14/2022)
10/24/2022	<u>9</u>	DOCUMENTS LODGED consisting of Correspondence from Plaintiff Virgil Hall. Note: attached document lodged for reference purposes only; no response required unless specifically ordered by the court. (dla) (Entered: 10/25/2022)

11/08/2022	<u>10</u>	ORDER OF RECUSAL: Judge Jill N. Parrish recused. Case reassigned to Judge Dale A. Kimball for all further proceedings. Signed by Judge Jill N. Parrish on 11/8/22. (dla) (Entered: 11/08/2022)
11/09/2022	<u>11</u>	ORDER OF RECUSAL – Judge Dale A. Kimball recused. Case reassigned to Judge Howard C. Nielson, Jr for all further proceedings. Signed by Judge Dale A. Kimball on 11/9/2022. (eat) (Entered: 11/09/2022)
12/05/2022	<u>12</u>	MOTION to Appoint Counsel filed by Plaintiff Virgil Hall. (dla) (Additional attachment(s) added on 1/11/2023: # <u>1</u> rescanned for image quality) (kb). (Entered: 12/07/2022)
12/08/2022	13	DOCKET TEXT ORDER REFERRING CASE to Magistrate Judge Daphne A. Oberg under 28:636 (b)(1)(B), Magistrate to handle case up to and including R&R on all dispositive matters. No attached document. Motions referred to Daphne A. Oberg. Signed by Judge Howard C. Nielson, Jr on 12/8/22. (dla) (Entered: 12/08/2022)
12/08/2022	14	ORDER REFERRING MOTION <u>12</u> MOTION to Appoint Counsel filed by Virgil Hall Motions referred to Daphne A. Oberg. Signed by Judge Howard C. Nielson, Jr., on 12/8/2022. (mlp) (Entered: 12/08/2022)
12/12/2022	<u>15</u>	MEMORANDUM DECISION AND ORDER denying without prejudice <u>12</u> Motion for Appointment of Counsel. Signed by Magistrate Judge Daphne A. Oberg on 12/12/22. (dla) (Entered: 12/12/2022)
04/12/2023	<u>16</u>	REPORT AND RECOMMENDATION: The undersigned RECOMMENDS the district judge dismiss this action pursuant to 28 U.S.C. § 1915(e)(2)(B). The court will send this Report and Recommendation to Mr. Hall, who is notified of his right to object to it. Any objection must be filed within fourteen days of service. Failure to object may constitute waiver of objections upon subsequent review. Signed by Magistrate Judge Daphne A. Oberg on 4/12/23. (dle) (Entered: 04/12/2023)
05/02/2023	<u>17</u>	OBJECTION to <u>16</u> Report and Recommendations filed by Virgil Hall. (Attachments: # <u>1</u> Envelope) (dle) (Entered: 05/03/2023)
05/09/2023	18	DOCKET TEXT ORDER. On April 12, 2023, Magistrate Judge Oberg entered <u>16</u> Report and Recommendation, recommending dismissal of this action pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). On May 2, 2023, Plaintiff filed <u>17</u> Objections to the Report and Recommendation. Having carefully reviewed Judge Oberg's Report and Recommendation, Plaintiff's objections, and the relevant portions of the record, the court concludes that the objections are not well-taken. The court accordingly OVERRULES Plaintiff's objections and ADOPTS <u>16</u> Report and Recommendation. This action is DISMISSED. In the interests of justice, dismissal is WITHOUT PREJUDICE. SO ORDERED. Signed by Judge Howard C. Nielson, Jr. on 5/09/2023. No attached document. (tf) (Entered: 05/09/2023)
05/09/2023	<u>19</u>	JUDGMENT IN A CIVIL CASE: This action is dismissed without prejudice. Case Closed. Signed by Judge Howard C. Nielson, Jr on 5/9/23. (dle) (Entered: 05/09/2023)