

**U.S. District Court**  
**District of Columbia (Washington, DC)**  
**CIVIL DOCKET FOR CASE #: 1:22-cv-01594-TSC**

MARTIN v. GARLAND et al  
Assigned to: Judge Tanya S. Chutkan  
Cause: 05:552 Freedom of Information Act

Date Filed: 05/31/2022  
Date Terminated: 09/05/2023  
Jury Demand: None  
Nature of Suit: 550 Prisoner Petition: Civil Rights (Other)  
Jurisdiction: U.S. Government Defendant

**Plaintiff****DONALD LYNN MARTIN**

represented by **DONALD LYNN MARTIN**  
3022 Fairway Drive  
Floyds Knobbs, IN 47119  
PRO SE

V.

**Defendant**

**MERRICK B. GARLAND**  
*in his Official Capacity as Attorney  
General of the United States*

represented by **Anna Davis Walker**  
DOJ-USAO  
Civil Division  
601 D Street, NW  
Washington, DC 20530  
(202) 252-2544  
Email: [Anna.Walker@usdoj.gov](mailto:Anna.Walker@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**UNITED STATES DEPARTMENT OF  
JUSTICE**

represented by **Anna Davis Walker**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
05/31/2022		<b>Initiating Pleading &amp; IFP Application Received on 05/31/2022.</b> A copy of the docket sheet has been mailed to the address of record for the pro se party. (znm) (Entered: 06/08/2022)
05/31/2022	<u>1</u>	COMPLAINT against MERRICK GARLAND, UNITED STATES DEPARTMENT OF JUSTICE filed by DONALD LYNN MARTIN. (Attachment: # <u>1</u> Exhibit)(znm) (Entered: 06/08/2022)
05/31/2022	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by DONALD LYNN MARTIN. (znm) (Entered: 06/08/2022)
05/31/2022	<u>3</u>	PRISONER TRUST FUND ACCOUNT STATEMENT for period of six months by DONALD LYNN MARTIN (znm) (Entered: 06/08/2022)
06/10/2022	<u>4</u>	ORDER directing an initial partial filing fee in the amount of \$43.37 from Prison Account of DONALD LYNN MARTIN and granting MOTION for Leave to Proceed In Forma Pauperis (see order for full details). Pro Se party has been notified by first class mail. Signed by Judge Dabney L. Friedrich on 06/10/2022. (znm) (Entered: 06/13/2022)
06/10/2022		Case Randomly Assigned to Judge Tanya S. Chutkan. (znm) (Entered: 06/13/2022)

06/13/2022	<u>5</u>	SUMMONS (3) Issued as to MERRICK GARLAND, UNITED STATES DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General sent to the U.S. Marshals Service. (znmg) (Entered: 06/13/2022)
07/29/2022	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/14/2022. ( Answer due for ALL FEDERAL DEFENDANTS by 8/13/2022.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 7/14/2022., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. MERRICK GARLAND served on 7/14/2022; UNITED STATES DEPARTMENT OF JUSTICE served on 7/14/2022 (znmw) (Entered: 08/01/2022)
08/05/2022	<u>7</u>	ORDER: Advising pro se Plaintiff of his obligation to follow the FRCP, Local Rules and orders of the court. Failure to adhere to these rules or orders may result in sanctions, up to and including dismissal of this action. The Clerk of the Court shall mail a copy of this order to Plaintiff at his address of record. Signed by Judge Tanya S. Chutkan on 8/5/22. (DJS) (Entered: 08/05/2022)
08/08/2022	<u>8</u>	NOTICE of Appearance by Anna Davis Walker on behalf of MERRICK GARLAND, UNITED STATES DEPARTMENT OF JUSTICE (Walker, Anna) (Entered: 08/08/2022)
08/09/2022	<u>9</u>	First MOTION for Extension of Time to File Answer by MERRICK GARLAND, UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Walker, Anna) (Entered: 08/09/2022)
08/09/2022		MINUTE ORDER: It is hereby ORDERED that Defendants' <u>9</u> Motion for Extension of Time is GRANTED, and the Answer or other response the <u>1</u> Complaint is due by September 14, 2022. Signed by Judge Tanya S. Chutkan on 8/9/22. (psu2) (Entered: 08/09/2022)
08/10/2022		Set/Reset Deadlines: Answer due by 9/14/2022. (tb) (Entered: 08/10/2022)
08/12/2022	<u>10</u>	MOTION to Compel Discovery by DONALD LYNN MARTIN. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibits)(znmw) (Entered: 08/17/2022)
08/25/2022	<u>12</u>	Memorandum in opposition to re <u>9</u> Motion for Extension of Time to File Answer filed by DONALD LYNN MARTIN. (znmw) (Entered: 08/31/2022)
08/30/2022	<u>11</u>	Memorandum in opposition to re <u>10</u> Motion to Compel <i>Discovery</i> filed by MERRICK B. GARLAND, UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Certificate of Service)(Walker, Anna) (Entered: 08/30/2022)
09/14/2022	<u>13</u>	Partial MOTION to Dismiss <i>and Memorandum in Support Thereof</i> by MERRICK B. GARLAND, UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Walker, Anna) (Entered: 09/14/2022)
09/20/2022	<u>14</u>	Order advising Plaintiff to respond by 10/14/2022 to <u>13</u> Defendants' Partial MOTION to Dismiss. Signed by Judge Tanya S. Chutkan on 9/19/22. (psu2) (Entered: 09/20/2022)
09/20/2022	<u>15</u>	ORDER denying <u>10</u> Plaintiff's motion to compel discovery. Signed by Judge Tanya S. Chutkan on 9/19/22. (psu2) (Entered: 09/20/2022)
09/22/2022	<u>16</u>	MOTION for Entry of Default by DONALD LYNN MARTIN. (zjm) (Entered: 09/28/2022)
09/29/2022		Set/Reset Deadlines: Response due by 10/14/2022. (tb) (Entered: 09/29/2022)
10/12/2022	<u>17</u>	RESPONSE re <u>16</u> MOTION for Entry of Default filed by MERRICK B. GARLAND, UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Certificate of Service)(Walker, Anna) (Entered: 10/12/2022)
10/13/2022		MINUTE ORDER: denying <u>16</u> Plaintiff's Motion for Entry of Default. "A default judgment is appropriate when a defendant is a totally unresponsive party and its default [is] plainly willful, reflected by its failure to respond to the summons and complaint, the entry of default, or the motion for default judgment." Mohammadi v.

		Islamic Republic of Iran, 947 F. Supp. 2d 48, 61 (D.D.C. 2013) aff'd, 782 F.3d 9 (D.C. Cir. 2015) (citation and internal quotations omitted). The Attorney General of the United States has responded to the Complaint by filing a Motion to Dismiss, see ECF No. <u>13</u> , and therefore default is not warranted. The Clerk of the court shall mail a copy of this order to Plaintiff at their address of record. Signed by Judge Tanya S. Chutkan on 10/13/2022. (lcja) (Entered: 10/13/2022)
10/19/2022	<u>18</u>	MOTION to Amend/Correct the Record Clerk to Enter Pursuant to FRCP 5(d) re <u>16</u> MOTION for Entry of Default by DONALD LYNN MARTIN. (zjm) (Entered: 10/20/2022)
10/28/2022	<u>19</u>	MOTION for Reconsideration re Order on Motion for Entry of Default by DONALD LYNN MARTIN. (zjm) (Entered: 11/01/2022)
11/14/2022	<u>20</u>	ORDER GRANTING Defendants' Partial Motion to Dismiss <u>13</u> and DENYING Plaintiff's <u>18</u> Motion to Amend/Correct and <u>19</u> Motion for Reconsideration. Signed by Judge Tanya S. Chutkan on 11/14/22. (psu2) (Entered: 11/14/2022)
11/28/2022	<u>21</u>	ANSWER to <u>1</u> Complaint by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Certificate of Service)(Walker, Anna) (Entered: 11/28/2022)
11/29/2022		MINUTE ORDER: Before the Court in this FOIA case are a complaint filed by an incarcerated plaintiff and an answer. The requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil procedure appear to be inapplicable. IT IS HEREBY ORDERED that Government Defendants shall file a status report and proposed schedule that includes: the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a Vaughn index will be required in this case, any other pertinent issues and a proposed schedule for filing dispositive motions. Government Defendants shall file the report and proposed schedule, along with a proposed order not later than December 23, 2022. The Clerk of the Court shall mail a copy of this order to: DONALD LYNN MARTIN, R#19080-033, FEDERAL CORRECTIONAL INSITUATION, PO BOX 6001, Ashland, KY 41105. Signed by Judge Tanya S. Chutkan on 11/29/2022. (lcja) (Entered: 11/29/2022)
11/29/2022		Set/Reset Deadlines: Government Defendants shall file the report and proposed schedule, along with a proposed order not later than 12/23/2022. (dot) (Entered: 11/29/2022)
12/23/2022	<u>22</u>	STATUS REPORT by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Walker, Anna) (Entered: 12/23/2022)
12/27/2022		MINUTE ORDER: On consideration of Defendant's Status Report <u>22</u> it is hereby ORDERED that Defendant shall file its dispositive motion by March 23, 2023; Plaintiff shall file his opposition and cross-motion, if any, by May 23, 2023; Defendant shall file its reply and opposition to Plaintiffs cross-motion by June 23, 2023; and Plaintiff shall file his cross-motion reply by July 24, 2023. Signed by Judge Tanya S. Chutkan on 12/27/22. (psu2) (Entered: 12/27/2022)
12/28/2022		Set/Reset Deadlines: Cross Motion due by 5/23/2023. Response to Cross Motion due by 6/23/2023. Reply to Cross Motion due by 7/24/2023. Dispositive Motion due by 3/23/2023. Response to Dispositive Motion due by 5/23/2023. Reply to Dispositive Motion due by 6/23/2023. (tb) (Entered: 12/28/2022)
03/20/2023	<u>23</u>	MOTION for Extension of Time to <i>File Summary Judgment Motion</i> , MOTION to Modify <i>Briefing Schedule</i> by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Walker, Anna) (Entered: 03/20/2023)
03/21/2023		MINUTE ORDER: For good cause shown, Defendant's Motions to Extend Time <u>23</u> and to Modify Briefing Schedule <u>23</u> are GRANTED. The briefing schedule set forth in the December 27, 2022, Minute Order is VACATED. Defendant shall file its dispositive motion by April 6, 2023; Plaintiff shall file his opposition and cross-motion, if any, by June 6, 2023; Defendant shall file its reply and opposition to Plaintiffs cross-motion by July 7, 2023; and Plaintiff shall file his cross-motion reply by August 7, 2023. Signed by Judge Tanya S. Chutkan on 3/20/23. (psu2) (Entered: 03/21/2023)

		03/21/2023)
03/29/2023		Set/Reset Deadlines: Cross Motion due by 6/6/2023. Response to Cross Motion due by 7/7/2023. Reply to Cross Motion due by 8/7/2023. Dispositive Motion due by 4/6/2023. Response to Dispositive Motion due by 6/6/2023. Reply to Dispositive Motion due by 7/7/2023. (tb) (Entered: 03/29/2023)
04/06/2023	<u>24</u>	MOTION for Summary Judgment by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Decl. of Tricia Francis with Attachments, # <u>4</u> Decl. of Robin Brown with Exhibit, # <u>5</u> Text of Proposed Order, # <u>6</u> Certificate of Service)(Walker, Anna) (Entered: 04/06/2023)
04/07/2023	<u>25</u>	Order advising Plaintiff to respond by 6/6/2023 to <u>24</u> Defendant's Motion for Summary Judgment. Signed by Judge Tanya S. Chutkan on 4/7/23. (psu2) (Entered: 04/07/2023)
04/10/2023		Set/Reset Deadlines: Response to Motion for Summary Judgment due by 6/6/2023. (tb) (Entered: 04/10/2023)
04/12/2023	<u>26</u>	NOTICE of Objection to DOJ's Letter by DONALD LYNN MARTIN (Attachment: # <u>1</u> Exhibits)(zjm) Modified on 4/19/2023 to correct docket text (zjm). (Entered: 04/19/2023)
05/22/2023	<u>27</u>	RESPONSE re <u>24</u> MOTION for Summary Judgment filed by DONALD LYNN MARTIN. (Attachment: # <u>1</u> Exhibits A – E)(zth) (Entered: 05/23/2023)
05/24/2023	<u>28</u>	MOTION for Extension of Time to File Response/Reply as to <u>24</u> MOTION for Summary Judgment by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Walker, Anna) (Entered: 05/24/2023)
05/26/2023		MINUTE ORDER: Defendants' <u>28</u> Motion for Extension of Time, to June 30, 2023, to file its Reply is DENIED WITHOUT PREJUDICE, as the briefing schedule set forth in the March 21, 2023, Minute Order, sets July 7, 2023, as the deadline for Defendant's Reply. Signed by Judge Tanya S. Chutkan on 5/26/23. (psu2) (Entered: 05/26/2023)
06/05/2023	<u>29</u>	Memorandum in opposition to re <u>28</u> Motion for Extension of Time to File Response/Reply filed by DONALD LYNN MARTIN. (zjm) (Entered: 06/08/2023)
07/06/2023	<u>30</u>	Second MOTION for Extension of Time to File Response/Reply as to <u>24</u> MOTION for Summary Judgment by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Walker, Anna) (Entered: 07/06/2023)
07/06/2023		MINUTE ORDER: It is hereby ORDERED that Defendants' <u>30</u> Motion for Extension of Time is GRANTED, and the Reply is due by July 21, 2023. Signed by Judge Tanya S. Chutkan on 7/6/23. (psu2) (Entered: 07/06/2023)
07/06/2023		Set/Reset Deadlines: Defendants' <u>30</u> Motion for Extension of Time is GRANTED, and the Reply is due by 7/21/2023. (jth) (Entered: 07/06/2023)
07/21/2023	<u>31</u>	REPLY to opposition to motion re <u>24</u> MOTION for Summary Judgment filed by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Suppl. Decl. of Robin Brown, # <u>2</u> Certificate of Service)(Walker, Anna) (Entered: 07/21/2023)
07/21/2023	<u>32</u>	RESPONSE re <u>30</u> Second MOTION for Extension of Time to File Response/Reply as to <u>24</u> MOTION for Summary Judgment filed by DONALD LYNN MARTIN. (zjm) (Entered: 07/25/2023)
08/07/2023	<u>33</u>	NOTICE of Change of Address by DONALD LYNN MARTIN (zjm) (Entered: 08/11/2023)
08/07/2023	<u>34</u>	MOTION for Extension of Time to by DONALD LYNN MARTIN. (zjm) (Entered: 08/11/2023)
08/14/2023		MINUTE ORDER: Per the court's March 21, 2023, Minute Order, Plaintiff's opposition and cross-motion were due by June 6, 2023, and Plaintiff timely filed only an opposition on May 22, 2023. Plaintiff's request for an extension of time to file a

		cross-motion <u>34</u> is DENIED. Signed by Judge Tanya S. Chutkan on 8/11/23. (psu2) (Entered: 08/14/2023)
09/01/2023	<u>35</u>	MEMORANDUM AND OPINION. Signed by Judge Tanya S. Chutkan on 9/1/23. (psu2) (Entered: 09/01/2023)
09/01/2023	<u>36</u>	ORDER granting <u>24</u> Defendant's Motion for Summary Judgment. This is a final appealable Order. Signed by Judge Tanya S. Chutkan on 9/1/23. (psu2) (Entered: 09/01/2023)