

U.S. District Court
Northern District of New York – Main Office (Syracuse) [NextGen CM/ECF
Release 1.7 (Revision 1.7.1.2)] (Syracuse)
CIVIL DOCKET FOR CASE #: 5:21-cv-01180-GTS-ML

Checksfield v. Internal Revenue Service
Assigned to: U.S. District Judge Glenn T Suddaby
Referred to: Magistrate Judge Miroslav Lovric
Cause: 05:552 Freedom of Information Act

Date Filed: 10/29/2021
Date Terminated: 01/02/2024
Jury Demand: Plaintiff
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Kevin D Checksfield**

represented by **Kevin D Checksfield**
157 Cambridge Street
Syracuse, NY 13210
315-877-4064
PRO SE

V.

Defendant**Internal Revenue Service**

represented by **Benton T. Morton**
DOJ-Tax
Ben Franklin Station
P.O. Box 227
Washington, DC 20044
202-598-6285
Email: benton.t.morton@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/29/2021	<u>1</u>	COMPLAINT WITH JURY DEMAND against Internal Revenue Service (Filing fee \$402 receipt number SYR059971) filed by Kevin D Checksfield. (Attachments: # <u>1</u> Civil Cover Sheet)(gmd,) (Entered: 10/29/2021)
10/29/2021	<u>2</u>	PRO SE HANDBOOK, LOCAL RULES, and NOTICE issued and explained to Kevin D Checksfield at time complaint was file. (gmd,) (Entered: 10/29/2021)
10/29/2021	<u>3</u>	Summons Issued as to the Internal Revenue Service, # <u>1</u> the United States Attorney General, and # <u>2</u> the United States Attorney's Office.(gmd,) (Entered: 10/29/2021)
10/29/2021	<u>4</u>	G.O. 25 FILING ORDER ISSUED: Initial Rule 16 Conference set for 1/26/2022 at 02:30 PM before Magistrate Judge Miroslav Lovric. Civil Case Management Plan must be filed and Mandatory Disclosures are to be exchanged by the parties on or before 1/19/2022. (Pursuant to Local Rule 26.2, mandatory disclosures are to be exchanged among the parties but are NOT to be filed with the Court.) (gmd,) (Entered: 10/29/2021)
11/03/2021	<u>5</u>	CERTIFICATE OF SERVICE SENT by Kevin D Checksfield to USAG and # <u>1</u> USAO(gmd,) (Entered: 11/03/2021)
01/06/2022	<u>6</u>	REQUEST FOR ISSUANCE OF SUMMONS(ES): Kevin D Checksfield is requesting summons(es) be issued as to Commissioner of Internal Revenue Service (gmd,) (Entered: 01/06/2022)
01/06/2022	<u>7</u>	Summons Issued as to Internal Revenue Service. (gmd,) (Entered: 01/06/2022)
01/11/2022	<u>8</u>	CERTIFICATE OF SERVICE by Kevin D Checksfield to Commissioner of Internal Revenue. (gmd,) (Entered: 01/11/2022)

01/14/2022	<u>9</u>	CERTIFICATE OF SERVICE by Kevin D Checksfield re <u>3</u> Summons Issued as to the USAO. (gmd,) (Entered: 01/14/2022)
01/14/2022	<u>10</u>	CERTIFICATE OF SERVICE by Kevin D Checksfield re <u>3</u> Summons Issued as to the USAG. (gmd,) (Entered: 01/14/2022)
01/14/2022	<u>11</u>	CERTIFICATE OF SERVICE by Kevin D Checksfield re <u>7</u> Summons Issued as to the IRS. (gmd,) (Entered: 01/14/2022)
01/14/2022		***Answer due date updated for Internal Revenue Service answer due 3/14/2022. (gmd,) (Entered: 01/14/2022)
01/18/2022	<u>12</u>	CIVIL CASE MANAGEMENT PLAN Filed by Kevin D Checksfield. (gmd,) (Entered: 01/18/2022)
01/18/2022	<u>13</u>	***STRICKEN PURSUANT TO THE COURTS 14 ORDER*** Initial Disclosure Statement filed by Kevin D Checksfield (gmd,) Modified on 1/20/2022 (jdp). (Entered: 01/18/2022)
01/20/2022	14	TEXT ORDER STRIKING DKT. 13 FILING: Clerk of the Court is directed to strike Plaintiffs Dkt. No. 13 in its entirety. This Filing violates N.D.N.Y. L.R. 26.2. The court does not accept the filing of discovery materials, such as, Interrogatories, Document Requests, Document Demands, Disclosures, etc., unless the court specifically directs such documents be filed or when submitted in support of a motion filed pursuant to Rule 37 of the Federal Rules of Civil Procedure. Since the court has not directed the filing of correspondence related to discovery in this action, nor are plaintiff's submissions in support of a motion filed pursuant to Rule 37, neither discovery related materials nor certificates of service regarding the same are to be filed with the Court. This filing is stricken from the docket and will not be considered by the court. Furthermore, Plaintiff is directed to follow local rule 26.2. SO ORDERED by Magistrate Judge Miroslav Lovric on 1/20/2022. (copy served via regular mail on Plaintiff) (jdp) (Entered: 01/20/2022)
01/20/2022	15	TEXT ORDER: The Rule 16 Initial Conference scheduled for 1/26/2022 is re-scheduled for 4/19/2022 at 11:00 a.m. before Magistrate Judge Miroslav Lovric, via telephone conference. The Civil Case Management Plan must be filed and Mandatory Disclosures are to be exchanged by the parties on or before 4/12/2022. (Pursuant to Local Rule 26.2, mandatory disclosures are to be exchanged among the parties but are NOT to be filed with the Court.) SO ORDERED by Magistrate Judge Miroslav Lovric on 1/20/2022. (copy served via regular mail on Plaintiff) (jdp) (Entered: 01/20/2022)
01/24/2022	<u>16</u>	CERTIFICATE OF SERVICE by Kevin D Checksfield re Summons, Complaint, and Letters to the Attorney General's Office. (ztc,) (Entered: 01/24/2022)
01/24/2022	<u>17</u>	CERTIFICATE OF SERVICE by Kevin D Checksfield re Summons, Complaint, and Letters to the U.S. Attorney's Office. (ztc,) (Entered: 01/24/2022)
01/27/2022	<u>18</u>	First MOTION to Dismiss <i>for failure to state a claim and for lack of jurisdiction</i> filed by Internal Revenue Service. Response to Motion due by 2/17/2022. Reply to Response to Motion due by 2/24/2022 (Attachments: # <u>1</u> Memorandum of Law) (Morton, Benton) (Entered: 01/27/2022)
01/28/2022	19	TEXT ORDER: In light of the filing of Motion to Dismiss <u>18</u> , the Rule 16 Initial Conference scheduled for 4/19/2022 at 11:00 a.m. before Magistrate Judge Miroslav Lovric and the deadlines for filing of the Civil Case Management Plan and exchange of Mandatory Disclosures are all STAYED without date. SO ORDERED by Magistrate Judge Miroslav Lovric on 1/28/2022. (copy served via regular mail on Plaintiff)(jdp) (Entered: 01/28/2022)
01/28/2022	<u>20</u>	NOTICE by Internal Revenue Service re <u>18</u> First MOTION to Dismiss <i>for failure to state a claim and for lack of jurisdiction</i> filed by Internal Revenue Service. (Morton, Benton) (Entered: 01/28/2022)
01/28/2022		TEXT NOTICE TO PLAINTIFF re <u>18</u> Motion to Dismiss for failure to state a claim: On January 27, 2022, defendant moved to dismiss plaintiff's complaint for failure to state a claim. See Dkt. No. <u>18</u> . While you are entitled to file a response to that motion, and the court may benefit from such a response, you are not required to do so. This is

		because motions to dismiss are generally evaluated by considering only the complaint and other documents incorporated by reference within or attached to it. Should you choose to file a response in this case, it is due on February 17, 2022. Please file your response, if any, in writing and in accordance with the Local Rules of Practice and Federal Rules of Civil Procedure. You may file your response by mailing it to: United States District Court, Northern District of New York, P.O. Box 7367, 100 South Clinton St., Syracuse, NY 13261-7367. In the event that you choose not to file a response, you are required to promptly notify the court and all other parties at the earliest practicable date, but, in any event, no less than TWENTY-ONE DAYS from the date of filing of the motion, unless good cause is shown. This motion is returnable before Chief Judge Glenn T. Suddaby and is taken on submission of the papers. (Served plaintiff by regular mail). (sal) (Entered: 01/28/2022)
02/01/2022	<u>21</u>	AFFIDAVIT re <u>18</u> First MOTION to Dismiss <i>for failure to state a claim and for lack of jurisdiction</i> filed by Internal Revenue Service. <i>Declaration of Service</i> by Internal Revenue Service. (Morton, Benton) (Entered: 02/01/2022)
02/15/2022	<u>22</u>	RESPONSE in Opposition # <u>18</u> First MOTION to Dismiss <i>for failure to state a claim and for lack of jurisdiction</i> filed by Internal Revenue Service. filed by Kevin D Checksfield. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Affidavit, # <u>3</u> Memorandum of Law)(gmd,) (Entered: 02/15/2022)
02/23/2022	<u>23</u>	REPLY to Response to Motion re <u>18</u> First MOTION to Dismiss <i>for failure to state a claim and for lack of jurisdiction</i> filed by Internal Revenue Service. filed by Internal Revenue Service. (Morton, Benton) (Entered: 02/23/2022)
07/13/2022	<u>24</u>	DECISION AND ORDER that Defendant's <u>18</u> motion to dismiss is GRANTED. Plaintiff's Section 1983 claim is DISMISSED without prejudice. Plaintiff's FOIA claim shall be DISMISSED with prejudice, UNLESS, within THIRTY (30) DAYS from the date of this Decision and Order, Plaintiff files an AMENDED COMPLAINT that cures the pleading defects identified in this Decision and Order. Any Amended Complaint filed by Plaintiff must be a complete pleading, which will supersede his original Complaint in all respects, and which may not incorporate any portion of his original Complaint by reference. In the event that Plaintiff should fail to file an Amended Complaint that complies with the terms of this Decision and Order as set forth above, the Clerk shall enter Judgment dismissing this action without further Order of this Court. Signed by Chief Judge Glenn T. Suddaby on 7/13/2022. (Copy served upon plaintiff via regular mail) (sal) (Entered: 07/13/2022)
07/13/2022		Set Deadlines: Notice of Compliance Deadline 8/12/2022. Case Review Deadline 9/12/2022. (sal) (Entered: 07/13/2022)
08/10/2022	<u>25</u>	MOTION to Amend/Correct the # <u>1</u> Complaint filed by Kevin D Checksfield, Pro Se. Response to Motion due by 8/31/2022. (Attachments: # <u>1</u> Amended Complaint) Motions referred to Miroslav Lovric. (Filed at the public counter in Syracuse) (jmb) (Entered: 08/10/2022)
08/31/2022	<u>26</u>	RESPONSE in Opposition re <u>25</u> MOTION to Amend/Correct <u>1</u> Complaint filed by Kevin D Checksfield. filed by Internal Revenue Service. (Morton, Benton) (Entered: 08/31/2022)
09/08/2022	<u>27</u>	REPLY to Dkt. # <u>26</u> Response to Motion re Dkt. # <u>25</u> MOTION to Amend/Correct the Dkt. # <u>1</u> Complaint filed by Kevin D Checksfield. (gmd,) (Entered: 09/08/2022)
09/08/2022	<u>28</u>	CERTIFICATE OF SERVICE filed by Kevin D Checksfield re Dkt. # <u>25</u> MOTION to Amend/Correct the Dkt. # <u>1</u> Complaint.(gmd,) (Entered: 09/08/2022)
10/12/2022	<u>29</u>	Verification of Certified Mail filed by Kevin D Checksfield served on U.S. Dept. of Justice re Dkt. # <u>26</u> Response in Opposition to Motion, and Dkt. # <u>27</u> Reply to Response to Motion. (gmd) (Entered: 10/14/2022)
11/01/2022	30	TEXT ORDER: An on the record Hearing is scheduled for 11/18/2022 at 10:00 a.m., via Teams telephone conference, to address Motion to Amend # <u>25</u> . The courtroom deputy is directed to send to the parties the Teams link allowing the parties to join the Teams telephone conference. Pro se Plaintiff is directed to contact Courtroom Deputy Jennifer Painter at (607) 779-2623 no later than 11/10/2022 and provide a valid email address where the clerk can send the Teams link to Plaintiff. At the 11/18/2022

		Hearing, the parties may argue their briefs. The Court will render a decision as to Motion <u>25</u> on the record at the Hearing. SO ORDERED by U.S. Magistrate Judge Miroslav Lovric on 11/1/2022. (copy served via regular mail on Plaintiff Kevin D. Checksfield) (map) (Entered: 11/01/2022)
11/18/2022		Minute Entry for proceedings held before Magistrate Judge Miroslav Lovric: an on the record Hearing was held on 11/18/2022, via Teams telephone conference. The Court addressed Plaintiff Motion to Amend <u>25</u> , Defendant Response <u>26</u> , and Plaintiff Reply <u>27</u> . The Court heard oral argument from both sides. The Court rendered its decision, reasoning, and analysis on the record. Plaintiff Motion <u>25</u> is GRANTED. Appearances: Pro se Plaintiff K. Checksfield; B. Morton, Esq., for Defendant; R Lynch, Court Reporter. (copy served via regular mail on Plaintiff Kevin D. Checksfield) (jdp) (Entered: 11/18/2022)
11/18/2022	31	TEXT ORDER: For the reasons and analysis as set forth on the record at the Hearing held on 11/18/2022, Plaintiff Motion <u>25</u> is GRANTED. The Clerk of Court is directed to take Dkt. No. 25, Attachment 1, and file it on the docket as Plaintiffs Amended Complaint, which is now the operative pleading in this matter. Defendant shall file a response to the Amended Complaint pursuant to the rules. SO ORDERED by U.S. Magistrate Judge Miroslav Lovric on 11/18/2022. (copy served via regular mail on Plaintiff Kevin D. Checksfield) (jdp) (Entered: 11/18/2022)
11/18/2022	<u>32</u>	AMENDED COMPLAINT against Internal Revenue Service filed by Kevin D Checksfield.(jdp) (Entered: 11/18/2022)
11/18/2022	33	TEXT ORDER: The Clerk of the Court shall mail Plaintiff a copy of the Amended Complaint <u>32</u> . On or before 12/2/2022, Plaintiff shall file a signed copy of the Amended Complaint. On or before 12/29/2022, Defendant shall respond to the amended complaint. SO ORDERED by Magistrate Judge Miroslav Lovric on 11/18/2022. (copy of text order and Amended Complaint <u>32</u> served via regular mail on Plaintiff Kevin D. Checksfield) (amt) (Entered: 11/18/2022)
12/15/2022	<u>34</u>	ANSWER to <u>32</u> Amended Complaint by Internal Revenue Service.(Morton, Benton) (Entered: 12/15/2022)
12/19/2022	35	TEXT ORDER: Plaintiff has failed to comply with Text Order 33 . Plaintiff is directed to comply with Court Order 33 by 1/3/2023. The Clerk of the Court shall mail Plaintiff a copy of the Amended Complaint <u>32</u> and also a copy of the docket sheet. On or before 1/3/2023, Plaintiff shall file a signed copy of the Amended Complaint. Defendant shall respond to the signed amended complaint pursuant to the rules. SO ORDERED by Magistrate Judge Miroslav Lovric on 12/19/2022. (copy of text order, Amended Complaint <u>32</u> , and docket sheet served via regular mail on Plaintiff Kevin D. Checksfield)(jdp) (Entered: 12/19/2022)
12/19/2022	<u>36</u>	AMENDED COMPLAINT against Internal Revenue Service filed by Kevin D Checksfield, Pro Se. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Summonses and Certificates of Service)(pjh,) Modified on 12/28/2022 to correct filing date (ztc,). (Entered: 12/20/2022)
12/21/2022	37	TEXT ORDER: A Rule 16 Initial Conference is scheduled for 1/31/2023 at 1:00 p.m. before Magistrate Judge Miroslav Lovric, In Person, in Binghamton, New York. The Civil Case Management Plan must be filed and Mandatory Disclosures are to be exchanged by the parties on or before 1/24/2023. Pursuant to Local Rule 26.2, mandatory disclosures are to be exchanged among the parties but are NOT to be filed with the Court. SO ORDERED by Magistrate Judge Miroslav Lovric on 12/21/2022(Copy served upon Pltf via regular mail)(amt) (Entered: 12/21/2022)
12/28/2022	<u>39</u>	DUPLICATE IDENTICAL COPY of the <u>36</u> Amended Complaint filed by Pro Se Plaintiff Kevin D. Checksfield. [Filed at the Syracuse Clerk's Office Counter on 12/28/2022] (map) (Entered: 12/29/2022)
12/29/2022	<u>38</u>	TRANSCRIPT REQUEST by Kevin D Checksfield for proceedings held on 11/18/2022 before Judge Miroslav Lovric.. (jdp) (Entered: 12/29/2022)
01/05/2023	<u>40</u>	TRANSCRIPT of Proceedings: Telephone conference held on November 18, 2022 before Judge Miroslav Lovric, Court Reporter/Transcriber: Ruth I. Lynch, Telephone number: 607-779-2612. IMPORTANT NOTICE – REDACTION OF

		TRANSCRIPTS: In order to remove personal identifier data from the transcript, a party must electronically file a Notice of Intent to Request Redaction with the Clerk's Office within 5 business days of this date. The policy governing the redaction of personal information is located on the court website at www.nynd.uscourts.gov . <u>Read this policy carefully</u> . If no Notice of Intent to Redact is filed within 5 business days of this date, the court will assume redaction of personal identifiers is not necessary and the transcript will be made available on the web 90 days from today's date. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 1/26/2023. Redacted Transcript Deadline set for 2/6/2023. Release of Transcript Restriction set for 4/5/2023. Notice of Intent to Redact due by 1/10/2023 (Lynch, Ruth) (Entered: 01/05/2023)
01/24/2023	<u>41</u>	CIVIL CASE MANAGEMENT PLAN <i>Joint Report of Rule 26(f) Conference</i> by Internal Revenue Service. (Morton, Benton) (Entered: 01/24/2023)
01/31/2023		Minute Entry for proceedings held before Magistrate Judge Miroslav Lovric: an initial conference was held on 1/31/2023. Pretrial deadlines were discussed and set. The Court and parties confirmed that Amended Complaint <u>32</u> is identical to Amended Complaint <u>36</u> except that <u>36</u> is signed by Plaintiff. The parties also confirmed that Amended Complaint <u>39</u> is a duplicate of <u>36</u> and was inadvertently filed. Defendant Answer <u>34</u> is the operative pleading by Defendant to Plaintiff Amended Complaint and operative pleading <u>36</u> . Appearances: K. Checksfield, Pro Se Plaintiff; and B. Morton, Esq., for the Defendant and R. Lynch, Court Reporter. (Copy sent via regular mail to Plaintiff) (jdp) (Entered: 02/01/2023)
01/31/2023	42	TEXT ORDER: On or before 4/3/2023, the parties shall file status reports regarding the progress of the litigation. SO ORDERED by Magistrate Judge Miroslav Lovric on 1/31/2023. (Copy served on Pro Se Plaintiff via regular mail)(jdp) (Entered: 02/01/2023)
01/31/2023	<u>43</u>	UNIFORM PRETRIAL SCHEDULING ORDER: Anticipated length of trial: 5. Preferred Trial Location: Syracuse. Joinder of Parties due by 3/15/2023. Amended Pleadings due by 3/15/2023. Discovery due by 5/31/2023. Plaintiffs Expert Disclosure Deadline is 3/31/2023. Defendants Expert Disclosure Deadline is 3/31/2023. Rebuttal Expert Disclosure Deadline is 4/14/2023. Motions to be filed by 6/30/2023. Signed by Magistrate Judge Miroslav Lovric on 1/31/2023. (Copy served on Pro Se Plaintiff via regular mail)(jdp) (jdp,). (Entered: 02/01/2023)
02/01/2023		CLERK'S CORRECTION OF DOCKET ENTRY : clerk added Uniform Pretrial Order after the order was put onto the docket as the clerk inadvertently did not add it originally. (jdp) (Entered: 02/01/2023)
02/28/2023	<u>44</u>	***STRICKEN PURSUANT TO THE COURTS ORDER*** NOTICE OF DISCOVERY DEMAND: filed by Kevin D Checksfield, Pro Se at the Syracuse Public Counter. Plaintiff is requesting access to Celeste Neal, Regena Albo and Vikramsing Barad. Plaintiff also notes that he has initiated procedures to get a subpoena to Depose Cheryl A. Iberger. Certificate of Service attached. (jmb) Modified on 3/1/2023 (jdp). (Entered: 02/28/2023)
03/01/2023	<u>45</u>	ORDER TO STRIKE <u>44</u> Discovery Demands. Signed by Magistrate Judge Miroslav Lovric on 3/1/2023. (Copy served on Pro Se Plaintiff via regular mail)(jdp) (Entered: 03/01/2023)
03/02/2023	<u>46</u>	Letter Motion / Petition filed by Kevin D Checksfield, Pro Se requesting Issuance of a Subpoena, submitted to Magistrate Judge Miroslav Lovric. (Attachments: # <u>1</u> Proposed Subpoena to Testify at a Deposition, # <u>2</u> Certificate of Service) (Filed in person at the Syracuse Public Counter} (jmb) (Entered: 03/02/2023)
03/02/2023	47	TEXT ORDER: Defendant is directed to file a response by 3/9/2023 to Letter Motion <u>46</u> . An on the record Hearing is scheduled for 3/14/2023 at 1:00 p.m., In Person, in Binghamton, New York. Appearances are required. All other deadlines and schedules remain in effect. SO ORDERED by Magistrate Judge Miroslav Lovric on 3/2/2023. (Copy served on Pro Se Plaintiff via regular mail) (jdp) (Entered: 03/02/2023)

03/09/2023	<u>48</u>	RESPONSE to Motion re <u>46</u> Letter Motion for Kevin D Checksfield requesting Issuance of a Subpoena submitted to Judge Miroslav Lovric filed by Internal Revenue Service. (Attachments: # <u>1</u> Exhibit A, Discovery Demand, # <u>2</u> Proposed Order/Judgment)(Morton, Benton) (Entered: 03/09/2023)
03/13/2023	49	TEXT ORDER: Due to the snow storm and inclement weather expected tomorrow 3/14/2023 in the region of the courthouse, the on the record Hearing scheduled for 3/14/2023 is RE-SCHEDULED for 3/16/2023 at 2:00 p.m., In Person, in Binghamton, New York. Appearances are required. All other deadlines and schedules remain in effect. SO ORDERED by Magistrate Judge Miroslav Lovric on 3/13/2023. (Parties notified via telephone and a copy of this Text Order was served upon Pltf via regular mail)(amt) (Entered: 03/13/2023)
03/16/2023		Minute Entry for proceedings held before Magistrate Judge Miroslav Lovric: an on the record Hearing was held on 3/16/2023 to address Plaintiff Letter Motion <u>46</u> , Defendant Response <u>48</u> , and Defendant Motion for Protective Order <u>48</u> . The parties presented arguments as to all the issues and motions. The Court set forth on the record its analysis, reasoning, and decisions. Plaintiff Letter Motion <u>46</u> is denied. Defendant Motion for Protective Order <u>48</u> is granted only insofar as and to the extent as specifically set forth on the record regarding the three IRS employees identified in Dkt. No. 48-1. Appearances: K. Checksfield, Pro Se Plaintiff; B. Morton, Esq., for the Defendant; and R. Lynch, Court Reporter. (Copy served on Pro Se Plaintiff via regular mail) (jdp) (Entered: 03/20/2023)
03/20/2023	50	TEXT ORDER: For the reasons as set forth at the 3/16/2023 on the record Hearing: (1) Plaintiff Letter Motion <u>46</u> is DENIED; and (2) Defendant Motion for Protective Order <u>48</u> is GRANTED only insofar as and to the extent as specifically set forth on the record on 3/16/2023 regarding the three IRS employees identified in Dkt. No. 48-1. All deadlines and schedules remain in effect. SO ORDERED by Magistrate Judge Miroslav Lovric on 3/16/2023. (Copy served on Pro Se Plaintiff via regular mail) (jdp) (Entered: 03/20/2023)
04/03/2023	<u>51</u>	STATUS REPORT by Internal Revenue Service. (Morton, Benton) (Entered: 04/03/2023)
06/26/2023	<u>52</u>	MOTION for Summary Judgment filed by Kevin D. Checksfield, Pro Se. Motion returnable before Judge Glenn T. Suddaby. Response to Motion due by 7/17/2023. Reply to Response to Motion due by 7/24/2023. (Attachments: # <u>1</u> Affidavit in Support, # <u>2</u> Statement of Material Facts, # <u>3</u> Memorandum of Law, # <u>4</u> Certificate of Service) (jmb) (Entered: 06/27/2023)
06/30/2023	<u>53</u>	MOTION for Summary Judgment filed by Internal Revenue Service.. Response to Motion due by 7/21/2023. Reply to Response to Motion due by 7/28/2023 (Attachments: # <u>1</u> Brief in Support, # <u>2</u> Statement of Material Facts, # <u>3</u> Declaration of Scott Panitz with Exhibits A & B) (Morton, Benton) (Entered: 06/30/2023)
07/05/2023	<u>54</u>	NOTICE OF DUE DATE TO RESPOND to the # <u>53</u> MOTION FOR SUMMARY JUDGMENT: Response due on or before July 21, 2023. Failure to respond to this motion may result in your case being dismissed. With attached Notification of the Consequences of failing to respond to a Summary Judgment Motion. {Copy sent to the pro se plaintiff by regular mail} (jmb) (Entered: 07/05/2023)
07/17/2023	<u>55</u>	RESPONSE in Opposition re <u>52</u> MOTION for Summary Judgment filed by Kevin D Checksfield. Motion returnable before Judge Glenn T. Suddaby. filed by Internal Revenue Service. (Attachments: # <u>1</u> Response to Plaintiff's Statement of Facts)(Morton, Benton) (Entered: 07/17/2023)
07/20/2023	<u>56</u>	RESPONSE in Opposition re <u>53</u> MOTION for Summary Judgment filed by Internal Revenue Service. Filed by Kevin D Checksfield. (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Statement of Material Facts)(ztc) (Entered: 07/21/2023)
07/24/2023	<u>57</u>	REPLY filed by Kevin D Checksfield, Pro Se to Response to Plaintiff's # <u>52</u> MOTION for Summary Judgment and in opposition to the # <u>53</u> MOTION for Summary Judgment filed by Internal Revenue Service. (Attachments: # <u>1</u> Affirmation of Kevin Checksfield, # <u>2</u> Reply Statement of Material Facts, # <u>3</u> Memorandum in Reply, # <u>4</u> Certificate of Service) {Filed at the public counter in Syracuse, N.Y.} (jmb) (Entered: 07/25/2023)

07/27/2023	<u>58</u>	MOTION for Extension of Time to File Response/Reply as to <u>56</u> Response in Opposition to Motion, <u>53</u> MOTION for Summary Judgment filed by Internal Revenue Service.. filed by Internal Revenue Service. Response to Motion due by 8/17/2023 Motions referred to Miroslav Lovric. (Morton, Benton) (Entered: 07/27/2023)
07/28/2023	59	TEXT ORDER granting Defendant's <u>58</u> letter–motion an extension of time to file a reply to the Motion for Summary Judgment on August 4, 2023. SO ORDERED by U.S. District Judge Glenn T Suddaby on 7/28/2023. (Copy served upon plaintiff via regular mail) (sal) (Entered: 07/28/2023)
08/04/2023	<u>60</u>	REPLY to Response to Motion re <u>53</u> MOTION for Summary Judgment filed by Internal Revenue Service.. filed by Internal Revenue Service. (Morton, Benton) (Entered: 08/04/2023)
01/02/2024	<u>61</u>	DECISION AND ORDER that Plaintiff's motion for summary judgment (Dkt. No. <u>52</u>) is DENIED; Defendant's motion for summary judgment (Dkt. No. <u>53</u>) is GRANTED; and Plaintiff's Amended Complaint (Dkt. No. <u>32</u>) is DISMISSED with prejudice. Signed by U.S. District Judge Glenn T Suddaby on 1/2/2024. (Copy served upon plaintiff via regular and certified mail) (sal) (Entered: 01/02/2024)
01/02/2024	<u>62</u>	JUDGMENT that, pursuant to the Decision and Order (Dkt. No. <u>61</u>) issued on January 2, 2024 by the Honorable Glenn T. Suddaby, Plaintiff's motion for summary judgment (Dkt. No. <u>52</u>) is DENIED; Defendant's motion for summary judgment (Dkt. No. <u>53</u>) is GRANTED; and Plaintiff's Amended Complaint (Dkt. No. <u>32</u>) is DISMISSED with prejudice. The Clerk shall enter judgment accordingly and close this case. All of the above pursuant to the Decision and Order dated January 2, 2024 issued by the Honorable Glenn T. Suddaby. Dkt. No. <u>61</u> . (Copy served upon plaintiff via regular and certified mail) (sal) (Entered: 01/02/2024)