

U.S. District Court
Southern District of California (San Diego)
CIVIL DOCKET FOR CASE #: 3:23-cv-01706-BAS-BLM

Gamble III v. U.S. Department of Homeland Security et al
Assigned to: Judge Cynthia Bashant
Referred to: Magistrate Judge Barbara Lynn Major
Cause: 05:0552fi Freedom of Information Act

Date Filed: 09/15/2023
Date Terminated: 01/12/2024
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

John E. Gamble III

represented by **John E. Gamble III**
20091 Mount Israel Place
Escondido, CA 92029
7608029491
PRO SE

V.

Defendant

U.S. Department of Homeland Security
TERMINATED: 10/30/2023

represented by **U S Attorney CV**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Immigration and Customs Enforcement
TERMINATED: 10/30/2023

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LEAD ATTORNEY
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Defendant

Freedom of Information Act Office
TERMINATED: 10/30/2023

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Defendant

represented by

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

Mary Tommicile Glover–Rogers
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/15/2023	<u>1</u>	COMPLAINT against Freedom of Information Act Office, Immigration and Customs Enforcement, U.S. Department of Homeland Security (Filing fee \$ 402 receipt number 148229.), filed by John E. Gamble III. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Receipt, # <u>3</u> Attachment 1, # <u>4</u> Attachment 2, # <u>5</u> Attachment 3, # <u>6</u> Attachment 4) The new case number is 3:23–cv–1706–BAS–BLM. Judge Cynthia Bashant and Magistrate Judge Barbara Lynn Major are assigned to the case.(stn) (jms). (Entered: 09/18/2023)
09/15/2023	<u>2</u>	Summons Issued. Counsel receiving this notice electronically should print this summons and serve it in accordance with Rule 4, Fed.R.Civ.P and LR 4.1. Summons has been provided to plaintiffs not receiving notice electronically. (stn) (jms). (Entered: 09/18/2023)
10/19/2023	<u>3</u>	Joint MOTION for Extension of Time to File Answer <i>and Establish Time for Plaintiff to File Amended Complaint</i> by Immigration and Customs Enforcement. (Attachments: # <u>1</u> Proof of Service)(Glover–Rogers, Mary)Attorney Mary Tommicile Glover–Rogers added to party Immigration and Customs Enforcement(pty:dft) (jmo). (Entered: 10/19/2023)
10/20/2023	<u>4</u>	Order Granting Joint Motion for Extension of Time (ECF No. <u>3</u>). Signed by Judge Cynthia Bashant on 10/20/2023. (All non–registered users served via U.S. Mail Service)(mjw) (jmo). (Entered: 10/23/2023)
10/23/2023	<u>5</u>	Affidavit of Process Server by John E. Gamble III. (mjw) (jmo). (Entered: 10/23/2023)
10/23/2023	<u>6</u>	** Document Stricken per Court Order ECF No. <u>7</u> . ** (mjw) (No Summons issued at this time, document missing signature) (jmo). (Additional attachment(s) added on 10/24/2023: # <u>1</u> Stricken Document Form) (mjw). (Entered: 10/23/2023)
10/24/2023	<u>7</u>	Notice of Document Discrepancies and Order Thereon by Judge Cynthia Bashant Rejecting re <u>6</u> Amended Complaint, from Plaintiff John E. Gamble III. Non–compliance with local rule(s), Lacking proper signature per Federal Rule of Civil Procedure 11(a). IT IS HEREBY ORDERED: The document is rejected. It is ordered that the Clerk STRIKE the document from the record, and serve a copy of this order on all parties Signed by the Chambers of Cynthia Bashant on 10/24/2023.(All non–registered users served via U.S. Mail Service)(mjw) (Entered: 10/24/2023)
10/25/2023	<u>8</u>	Certificate of Service by John E. Gamble III. (mjw) (Entered: 10/25/2023)
10/30/2023	<u>9</u>	First Amended Complaint for Injunctive Relief Under Freedom of Information Act , filed by John E. Gamble III. (mjw) (jmo). (Entered: 10/30/2023)
10/30/2023	<u>10</u>	Notice of Document Discrepancies and Order Thereon by Judge Cynthia Bashant Accepting re <u>9</u> Amended Complaint, from Plaintiff John E. Gamble III. Non–compliance with local rule(s), Civ. L. Rule 7.1 or 47.1: Date noticed for hearing not in compliance with rules/documents are not timely. IT IS HEREBY ORDERED: The document is accepted despite the discrepancy noted above. Any further non–compliant documents may be stricken from the record.Signed by Judge Cynthia Bashant on 10/30/2023.(All non–registered users served via U.S. Mail Service)(mjw) (jmo). (Entered: 11/01/2023)
10/31/2023	<u>12</u>	** Document Stricken per Court Order ECF No. <u>13</u> ** (mjw) (Additional attachment(s) added on 11/1/2023: # <u>1</u> Stricken Document Form) (mjw). (jmo). (Entered: 11/01/2023)
11/01/2023	<u>11</u>	Amended Summons Issued. Counsel receiving this notice electronically should print this summons and serve it in accordance with Rule 4, Fed.R.Civ.P and LR 4.1. Summons has been

		provided to plaintiffs not receiving notice electronically. (mjw) (jmo). (Entered: 11/01/2023)
11/01/2023	<u>13</u>	Notice of Document Discrepancies and Order Thereon by Judge Cynthia Bashant Rejecting re <u>12</u> Amended Complaint, from Plaintiff John E. Gamble III. Non-compliance with local rule(s), Filed without leave to amend. A plaintiff may amend a complaint as a matter of course once before an opposing party files a responsive pleading, but the plaintiff must request leave of either opposing counsel or the Court prior to filing subsequent amendments. Fed. R. Civ. P. 15(a)(2).. IT IS HEREBY ORDERED: The document is rejected. It is ordered that the Clerk STRIKE the document from the record, and serve a copy of this order on all parties, Original Document was returned to the filer. Signed by Judge Cynthia Bashant on 10/31/2023. (Attachments: # <u>1</u> Rejected Document)(All non-registered users served via U.S. Mail Service)(mjw) (jmo). (Entered: 11/01/2023)
11/03/2023	<u>14</u>	Joint MOTION for Extension of Time to File Answer <i>and Establish Time for Plaintiff to File Second Amended Complaint</i> by U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Proof of Service)(Glover-Rogers, Mary) (mjw). (Entered: 11/03/2023)
11/06/2023	<u>15</u>	Order Granting Joint Motion for Extend Time (ECF No. <u>14</u>) The Court ORDERS that Plaintiff shall file his Second Amended Complaint on or before November 8, 2023, and Defendant shall file an Answer to the Second Amended Complaint on or before November 15, 2023.Signed by Judge Cynthia Bashant on 11/06/2023. (All non-registered users served via U.S. Mail Service)(mjw) (jmo). (Entered: 11/06/2023)
11/07/2023	<u>16</u>	Second Amended Complaint for Injunctive Relief Under Freedom of Information Act, against U.S. Immigration and Customs Enforcement, filed by John E. Gamble III. (mjw) (jmo). (Entered: 11/08/2023)
11/15/2023	<u>17</u>	ANSWER to <u>16</u> Amended Complaint by U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Proof of Service)(Glover-Rogers, Mary) (mjw). (Entered: 11/15/2023)
11/15/2023	<u>18</u>	NOTICE AND ORDER for Early Neutral Evaluation Conference and Case Management Conference. Early Neutral Evaluation Conference and Case Management Conference set for 12/19/2023 at 01:30 PM before Magistrate Judge Barbara Lynn Major. Joint Discovery Plan due 12/8/2023. Signed by Magistrate Judge Barbara Lynn Major on 11/15/2023.(All non-registered users served via U.S. Mail Service)(mjw) (jmo). (Entered: 11/15/2023)
11/20/2023	<u>19</u>	Certificate of Service by John E. Gamble III (mjw) (Entered: 11/21/2023)
11/27/2023	<u>20</u>	Joint MOTION to Vacate <i>Rule 26 Discovery Requirements and Deadline for Joint Discovery Plan</i> by U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Proof of Service)(Glover-Rogers, Mary) (mjw). (Entered: 11/27/2023)
11/28/2023	<u>21</u>	ORDER Granting Joint Motion to Vacate Rule 26 Discovery Requirements and Deadline for Joint Discovery Plan [ECF No. <u>20</u>]. Signed by Magistrate Judge Barbara Lynn Major on 11/28/2023. (All non-registered users served via U.S. Mail Service)(mjw) (jmo). (Entered: 11/28/2023)
12/04/2023	<u>22</u>	Joint MOTION to Dismiss <i>with Prejudice</i> by U.S. Immigration and Customs Enforcement. (Attachments: # <u>1</u> Proof of Service)(Glover-Rogers, Mary) (mjw). (Entered: 12/04/2023)
12/14/2023	<u>23</u>	ORDER Vacating Early Neutral Evaluation Conference and Case Management Conference. Signed by Magistrate Judge Barbara Lynn Major on 12/14/2023.(All non-registered users served via U.S. Mail Service)(mjw) (Entered: 12/14/2023)
01/12/2024	<u>24</u>	ORDER Granting Joint Motion to Dismiss (ECF No. <u>22</u>). Signed by Judge Cynthia Bashant on 01/12/2024. (All non-registered users served via U.S. Mail Service)(mjw) (Entered: 01/12/2024)