

**United States District Court  
Eastern District of Wisconsin (Milwaukee)  
CIVIL DOCKET FOR CASE #: 2:23-cv-00468-SCD**

Vancaster v. Social Security Administration  
Assigned to: Magistrate Judge Stephen C Dries  
Cause: 05:552 Freedom of Information Act

Date Filed: 04/10/2023  
Date Terminated: 03/06/2024  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: Federal Question

**Plaintiff****Michael Vancaster**

represented by **Michael Vancaster**  
246966  
Fox Lake Correctional Institution  
W10237 Lake Emily Rd  
PO Box 200  
Fox Lake, WI 53933-0200  
PRO SE

V.

**Defendant****Social Security Administration**

represented by **Luke P Sinclair**  
United States Department of Justice  
(ED-WI)  
Office of the US Attorney  
517 E Wisconsin Ave – Rm 530  
Milwaukee, WI 53202  
414-297-1700  
Email: [luke.sinclair@usdoj.gov](mailto:luke.sinclair@usdoj.gov)  
*ATTORNEY TO BE NOTICED*

**Interested Party****Wisconsin Department of Justice***TERMINATED: 11/01/2023*

Date Filed	#	Docket Text
04/10/2023	<u>1</u>	PRISONER COMPLAINT against Social Security Administration by Michael Vancaster. (Attachments: # <u>1</u> Envelope, # <u>2</u> Exhibit – Copy of Letter to Social Security Administration)(amh) (Entered: 04/11/2023)
04/10/2023	<u>2</u>	MOTION for Leave to Proceed Without Prepayment of the Filing Fee by Michael Vancaster. (amh) (Entered: 04/11/2023)
04/10/2023	<u>3</u>	Prisoner Trust Fund Account Statement by Michael Vancaster. (amh) (Entered: 04/11/2023)
04/11/2023	<u>4</u>	LETTER from the clerk to Plaintiff re Consent/Refusal to Magistrate Judge Stephen C. Dries and requesting that the consent/refusal form be filed within 21 days. (amh)
04/19/2023	<u>5</u>	ORDER signed by Chief Judge Pamela Pepper on 4/19/2023. On or before 5/10/2023 plaintiff shall forward to the Clerk of Court the sum of <del>\$1.62</del> \$1.68 as an initial partial filing fee in this action. (cc: all counsel and mailed to Warden and Michael Vancaster at Fox Lake Correctional Institution)(cb) (Main Document 5 replaced on 4/19/2023 to correct fee amount) (cb).
04/20/2023	<u>6</u>	UNSIGNED Magistrate Judge Jurisdiction Form filed by Michael Vancaster. (NOTICE: Pursuant to Fed.R.Civ.P. 73 this document is not viewable by the judge.) (amb) (Entered: 04/21/2023)

04/21/2023	<u>7</u>	LETTER from the Court to plaintiff re unsigned consent forms and requesting that signed consent forms be returned to the court within 14 days. (cc: All Counsel) (amb)
05/01/2023	<u>8</u>	Magistrate Judge Jurisdiction Form filed by Michael Vancaster. ( <a href="#">NOTICE: Pursuant to Fed.R.Civ.P. 73 this document is not viewable by the judge.</a> ) (amb) (Entered: 05/02/2023)
05/03/2023	<u>9</u>	MOTION for Extension of Time to Pay Initial Partial Filing Fee by Michael Vancaster. (amb) (Entered: 05/04/2023)
05/31/2023	<u>10</u>	TEXT ONLY ORDER signed by Chief Judge Pamela Pepper on 5/31/2023. On May 3, 2023, the plaintiff filed a motion, asking for a two-month extension of time to pay his initial partial filing fee. Dkt. No. 9. The court <b>FINDS</b> that the plaintiff has shown good cause and <b>GRANTS</b> his motion for an extension of time. The court <b>ORDERS</b> that the time for the plaintiff to pay the \$1.68 initial partial filing fee in this case is <b>EXTENDED</b> until the end of the day on June 30, 2023. The court <b>ORDERS</b> that if the plaintiff has not paid the \$1.68 initial partial filing fee, or filed a motion for an extension of time to pay it, showing good cause, by the end of the day on June 30, 2023, the court may dismiss this case and the plaintiff will still owe the full filing fee. The plaintiff also requested that the court "supply him with all financial documents to pay the filing fee out of his release account." <u>Id.</u> The court addressed the possibility of the plaintiff paying the initial partial filing fee from his release account in its order directing the plaintiff to pay that fee; the court refers the plaintiff to the order. Dkt. No. 5 at 3-4. <b>Note: there is no document linked to this text only order.</b> (cc: all counsel and mailed to Michael Vancaster at Fox Lake Correctional Institution)(cb)
06/16/2023		INITIAL PARTIAL FILING FEE Received: \$1.68, Receipt Number: MK 92681 ; the payment of all future filing fees will be maintained by the financial department. (cmb)
07/18/2023	<u>11</u>	ORDER signed by Chief Judge Pamela Pepper on 7/18/2023. <u>2</u> Plaintiff's motion for leave to proceed without prepaying filing fee GRANTED; agency having custody of plaintiff to collect \$348.32 balance of filing fee from plaintiff's prison trust account under 28 USC §1915(b)(2). US Marshals Service to serve copy of complaint and this order on defendant under FRCP 4. Defendant to file responsive pleading. (cc: all counsel and mailed to Warden and Michael Vancaster at Fox Lake Correctional Institution)(cb)
07/19/2023	<u>12</u>	TRANSMIT Order, Complaint, Notice, Waiver to USMS for service on defendant. (amb)
07/31/2023	<u>13</u>	MOTION for Financial Order by Michael Vancaster. (Attachments: # <u>1</u> Envelope)(amb) (Entered: 08/01/2023)
08/03/2023	<u>14</u>	ORDER signed by Chief Judge Pamela Pepper on 8/3/2023 DENYING <u>13</u> plaintiff's petition for financial order. (cc: all counsel and mailed to Michael Vancaster at Fox Lake Correctional Institution)(cb)
09/18/2023	<u>15</u>	US Marshal 285 Form as to Social Security Administration. Service my mail not successful. (amb)
09/27/2023	<u>16</u>	TRANSMIT Complaint, Order, and Summons to USMS for service on Head of Social Security, US Attorney General, and US Attorney. (amb)
10/05/2023	<u>17</u>	NOTICE by Wisconsin Department of Justice of <i>Improper Service</i> (Simcox, Jeffery)
11/01/2023	<u>18</u>	NOTICE of Appearance by Luke P Sinclair on behalf of All Defendants. Attorney(s) appearing: AUSA Luke P. Sinclair (Sinclair, Luke)
11/01/2023	<u>19</u>	MOTION for Extension of Time to File Answer by All Defendants. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Sinclair, Luke)
11/01/2023	<u>20</u>	Magistrate Judge Jurisdiction Form filed by All Defendants. ( <a href="#">NOTICE: Pursuant to Fed.R.Civ.P. 73 this document is not viewable by the judge.</a> ) (Sinclair, Luke)
11/01/2023	<u>21</u>	ORDER REASSIGNING CASE ON CONSENT signed by Chief Judge Pamela Pepper on 11/1/2023. Case reassigned to Magistrate Judge Stephen C. Dries for all further proceedings. Chief Judge Pamela Pepper no longer assigned to case. (cc: all counsel and mailed to Michael Vancaster at Fox Lake Correctional Institution)(cb)

11/01/2023	<u>22</u>	SUMMONS Returned Executed. Social Security Administration served on 11/1/2023. (amb)
11/02/2023	23	TEXT ONLY ORDER signed by Magistrate Judge Stephen C Dries on 11/2/23. The court GRANTS the defendant's motion for extension of time to answer, ECF No. <u>19</u> . The defendant may have until <b>January 2, 2024</b> , to respond to the plaintiff's complaint. (cc: all counsel and mailed to pro se party)(jh)
11/16/2023	<u>24</u>	LETTER from Plaintiff to Luke Sinclair re: settlement. (kah) (Entered: 11/17/2023)
12/21/2023	<u>25</u>	MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Social Security Administration. (Sinclair, Luke)
12/21/2023	<u>26</u>	BRIEF in Support filed by Social Security Administration re <u>25</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM . (Attachments: # <u>1</u> Unpublished Opinions, # <u>2</u> Certificate of Service)(Sinclair, Luke)
02/05/2024	<u>27</u>	ORDER signed by Magistrate Judge Stephen C Dries on 2/5/2024. Vancaster will have another opportunity to respond to the agency's motion to dismiss <u>25</u> . That brief is due by February 25, 2024. If a timely response is filed, the agency shall have until March 10, 2024, to file a reply brief. If Vancaster fails to file a response by February 21, I will resolve the agency's motion without the benefit of hearing from Vancaster. (cc: all counsel and mailed to pro se party)(kah)
02/22/2024	<u>28</u>	MOTION to Dismiss Without Prejudice by Michael Vancaster. (Attachments: # <u>1</u> Envelope)(kah)
03/06/2024	<u>29</u>	ORDER signed by Magistrate Judge Stephen C Dries on 3/6/2024 GRANTING <u>25</u> Motion to Dismiss; denying as moot <u>28</u> Motion to Dismiss without Prejudice and DISMISSES this action without prejudice. (cc: all counsel and mailed to pro se party)(kah)
03/06/2024	<u>30</u>	JUDGMENT signed by Deputy Clerk in favor of Social Security Administration against Michael Vancaster approved by Magistrate Judge Stephen C Dries on 3/6/2024. (cc: all counsel and mailed to pro se party)(kah)