

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:21-cv-01829-ABJ

VEYTIA v. FEDERAL BUREAU OF PRISONS
Assigned to: Judge Amy Berman Jackson
Cause: 05:552 Freedom of Information Act

Date Filed: 07/07/2021
Jury Demand: Plaintiff
Nature of Suit: 550 Prisoner Petition: Civil Rights (Other)
Jurisdiction: U.S. Government Defendant

Plaintiff**EDGAR VEYTIA**

represented by **EDGAR VEYTIA**
R60875-298
BROOKLYN
METROPOLITAN DETENTION
CENTER
Inmate Mail/Parcels
P.O. BOX 329002
BROOKLYN, NY 11232
PRO SE

V.

Defendant**FEDERAL BUREAU OF PRISONS**

represented by **Kenneth A. Adebonojo**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/07/2021	<u>1</u>	COMPLAINT against FEDERAL BUREAU OF PRISONS (Filing fee \$ 402, receipt number 200187) with Jury Demand filed by EDGAR VEYTIA. (Attachments: # <u>1</u> Civil Cover Sheet)(zjf) (Entered: 07/16/2021)
07/07/2021	<u>2</u>	MOTION For Service At Government Expense by EDGAR VEYTIA. (zjf) (Entered: 07/16/2021)
07/16/2021		SUMMONS Not Issued as to FEDERAL BUREAU OF PRISONS (zjf) (Entered: 07/16/2021)
10/06/2021	<u>3</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. FEDERAL BUREAU OF PRISONS served on 9/27/2021 (zjf) (Entered: 10/12/2021)
11/01/2021		MINUTE ORDER. <u>2</u> Motion for Service at Government Expense is GRANTED. Pursuant to 28 U.S.C. § 1915(d), the Clerk of Court is directed to issue summonses and cause service to be effected by the United States Marshals Service on the U.S. Attorney for the District of Columbia and the U.S. Attorney General. SO ORDERED. Signed by Judge Amy Berman Jackson on 11/1/2021. (lcabj1) (Entered: 11/01/2021)
11/16/2021	<u>4</u>	SUMMONS (2) Issued as to U.S. Attorney and U.S. Attorney General sent to the U.S. Marshal Service. (znmj) (Entered: 11/16/2021)
12/17/2021	<u>5</u>	NOTICE of Change of Address by EDGAR VEYTIA (zjf) (Entered: 12/28/2021)

01/05/2022	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 12/28/2021. (zjf) (Entered: 01/05/2022)
01/20/2022	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 1/6/2022. Answer due for ALL FEDERAL DEFENDANTS by 3/7/2022. (zjf) (Entered: 01/23/2022)
01/21/2022	<u>7</u>	NOTICE of Appearance by Kenneth A. Adebonojo on behalf of FEDERAL BUREAU OF PRISONS (Adebonojo, Kenneth) (Entered: 01/21/2022)
02/07/2022	<u>9</u>	MOTION for Extension of Time to <i>File Defendant's Answer or Other Response to Plaintiff's Complaint</i> by FEDERAL BUREAU OF PRISONS. (Adebonojo, Kenneth) (Entered: 02/07/2022)
02/10/2022		MINUTE ORDER. <u>9</u> Motion to Enlarge Time is GRANTED. Defendant must respond to plaintiff's complaint by March 8, 2022. SO ORDERED. Signed by Judge Amy Berman Jackson on 2/10/2022. (lcabj1) (Entered: 02/10/2022)
03/28/2022	<u>10</u>	MOTION for Preliminary Injunction by EDGAR VEYTIA. (zjf) (Entered: 03/29/2022)
03/30/2022		MINUTE ORDER. Plaintiff's Application for Injunctive Relief <u>10</u> requests a preliminary injunction. He states that mail delivery is delayed by the Bureau of Prisons and asks for an order addressing the issue. The Court can certainly understand plaintiff's frustration and it recognizes that delays in the mail may delay his ability to prosecute this action. Therefore, plaintiff is assured that requests for extensions of time will be freely granted. But in order for the Court to grant a preliminary injunction, there must be some likelihood of success on the merits. See <i>Winter v. Nat. Res. Def. Council, Inc.</i> , 555 U.S. 7, 20 (2008) ("A plaintiff seeking a preliminary injunction must establish that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest."). Here, there is no chance of success on the merits because there is no jurisdiction under the Freedom of Information Act to enter an injunction regarding internal prison processes. See <i>Roman v. Nat'l Reconnaissance Off.</i> , 952 F. Supp. 2d 159, 163 (D.D.C. 2013), citing 5 U.S.C. § 552(a)(4)(B) ("The sole remedy available to a requester is... the court can compel an agency to produce documents or enjoin an agency from improperly withholding documents."). Moreover, "claims related to the handling of specific pieces of mail by prison officials or the application of the BOP's mail handling regulations... must be addressed initially by local prison authorities and, once exhausted, may only be pursued in the [judicial] district where the acts occurred." <i>McCain v. Reno</i> , 98 F. Supp. 2d 5, 6 (D.D.C. 2000); see 28 C.F.R. §§ 542.13–15; 28 U.S.C. § 1391. For those reasons the motion is DENIED. Signed by Judge Amy Berman Jackson on 3/30/2022. (lcabj1) (Entered: 03/30/2022)
03/30/2022		MINUTE ORDER. On February 7, 2022, defendant moved for an extension of time in which to file a responsive pleading. The motion was granted, the pleading was due on March 8, and defendant has neither submitted the pleading nor moved for additional time. Therefore it is ORDERED that defendant respond to plaintiff's complaint by April 8, 2022. Signed by Judge Amy Berman Jackson on 3/30/2022. (lcabj1) (Entered: 03/30/2022)
04/08/2022	<u>11</u>	MOTION for Extension of Time to <i>File Defendant's Answer or Other Response to Plaintiff's Complaint</i> by FEDERAL BUREAU OF PRISONS. (Adebonojo, Kenneth) (Entered: 04/08/2022)
04/11/2022		MINUTE ORDER. <u>11</u> Motion to Enlarge Time is GRANTED. Defendant must respond to plaintiff's complaint by May 10, 2022. The Court expects the government to comply with the date it proposed since it let the March 8 date go by without even asking for an extension, and the deadline has now been extended three times. SO ORDERED. Signed by Judge Amy Berman Jackson on 4/11/2022. (lcabj1) (Entered: 04/11/2022)
05/10/2022	<u>12</u>	ANSWER to <u>1</u> Complaint by FEDERAL BUREAU OF PRISONS.(Adebonojo, Kenneth) (Entered: 05/10/2022)

05/10/2022		MINUTE ORDER. Before the Court in this FOIA case are a complaint and an answer. The requirements of Local Civil Rule 16.3 and Rule 26(f) of the Federal Rules of Civil Procedure appear to be inapplicable. Defendant shall file a dispositive motion or, in the alternative, a report setting forth the schedule for the completion of its production of documents to plaintiff, on or before June 7, 2022. SO ORDERED. Signed by Judge Amy Berman Jackson on 5/10/2022. (lcabj1) (Entered: 05/10/2022)
06/07/2022	<u>13</u>	STATUS REPORT by FEDERAL BUREAU OF PRISONS. (Adebonojo, Kenneth) (Entered: 06/07/2022)
06/09/2022		MINUTE ORDER. In light of the status report <u>13</u> , it is ORDERED that the following briefing schedule is adopted. Defendant's motion for summary judgment must be submitted by November 22, 2022. Plaintiff's opposition must be submitted by January 10, 2023. Defendant's reply must be submitted by February 10, 2023. In addition, Defendant must submit a status report by August 10, 2022 describing its compliance with the schedule for producing documents. Signed by Judge Amy Berman Jackson on 6/9/2022. (lcabj1) (Entered: 06/09/2022)
08/10/2022	<u>14</u>	STATUS REPORT by FEDERAL BUREAU OF PRISONS. (Adebonojo, Kenneth) (Entered: 08/10/2022)
08/23/2022		MINUTE ORDER. Defendant must submit another status report by September 26, 2022. Signed by Judge Amy Berman Jackson on 8/23/2022. (lcabj1) (Entered: 08/23/2022)
09/26/2022	<u>15</u>	STATUS REPORT by FEDERAL BUREAU OF PRISONS. (Adebonojo, Kenneth) (Entered: 09/26/2022)
09/27/2022	<u>16</u>	NOTICE <i>Correcting Status Report</i> by FEDERAL BUREAU OF PRISONS re <u>15</u> Status Report (Adebonojo, Kenneth) (Entered: 09/27/2022)
11/17/2022	<u>17</u>	MOTION for Extension of Time to <i>File Defendant's Motion for Summary Judgment</i> by FEDERAL BUREAU OF PRISONS. (Adebonojo, Kenneth) (Entered: 11/17/2022)
11/18/2022		MINUTE ORDER granting <u>17</u> Motion for Extension of Time. Defendant must file its Motion for Summary Judgment by January 27, 2023. Plaintiff's opposition must be submitted by February 14, 2023. Defendant's reply must be submitted by March 14, 2023. Signed by Judge Amy Berman Jackson on 11/18/2022. (lcabj1) Modified on 11/18/2022 to reflect that the reply is due March 14, 2023 (jth). (Entered: 11/18/2022)
01/26/2023	<u>18</u>	MOTION for Extension of Time to <i>File Defendant's Motion for Summary Judgment</i> by FEDERAL BUREAU OF PRISONS. (Adebonojo, Kenneth) (Entered: 01/26/2023)
01/27/2023	<u>19</u>	NOTICE <i>of Service</i> by FEDERAL BUREAU OF PRISONS (Adebonojo, Kenneth) (Entered: 01/27/2023)
02/02/2023		MINUTE ORDER granting <u>18</u> Motion for Extension of Time. Defendant must file its Motion for Summary Judgment by March 3, 2023. Plaintiff's opposition must be submitted by April 21, 2023. Defendant's reply must be submitted by May 19, 2023. Signed by Judge Amy Berman Jackson on 2/2/2023. (lcabj1) (Entered: 02/02/2023)
02/02/2023		Set/Reset Deadlines: Defendant must file its Motion for Summary Judgment by 3/3/2023; Plaintiff's opposition must be filed by 4/21/2023. Defendant's reply must be filed by 5/19/2023. (jth) (Entered: 02/02/2023)
03/14/2023	<u>20</u>	MOTION for Extension of Time to <i>File Defendant's Motion for Summary Judgment</i> by FEDERAL BUREAU OF PRISONS. (Adebonojo, Kenneth) (Entered: 03/14/2023)
03/15/2023		MINUTE ORDER granting <u>20</u> Motion for Extension of Time. Defendant must file its Motion for Summary Judgment by March 21, 2023. Plaintiff's opposition must be submitted by May 9, 2023. Defendant's reply must be submitted by June 6, 2023. Signed by Judge Amy Berman Jackson on 3/15/2023. (lcabj1) (Entered: 03/15/2023)
03/21/2023	<u>21</u>	MOTION for Extension of Time to <i>File Defendant's Motion for Summary Judgment</i> by FEDERAL BUREAU OF PRISONS. (Adebonojo, Kenneth) (Entered: 03/21/2023)
03/23/2023		MINUTE ORDER granting <u>21</u> Motion for Extension of Time. Defendant must file its Motion for Summary Judgment by March 28, 2023. Plaintiff's opposition must be submitted by May 16, 2023. Defendant's reply must be submitted by June 13, 2023.

		Signed by Judge Amy Berman Jackson on 3/23/2023. (lcabj1) (Entered: 03/23/2023)
03/27/2023	<u>22</u>	MOTION for Extension of Time to <i>File Defendant's Motion for Summary Judgment</i> by FEDERAL BUREAU OF PRISONS. (Adebonojo, Kenneth) (Entered: 03/27/2023)
03/28/2023		MINUTE ORDER granting <u>22</u> Motion for Extension of Time. Defendant must file its Motion for Summary Judgment by April 28, 2023. Plaintiff's opposition must be submitted by June 16, 2023. Defendant's reply must be submitted by July 13, 2023. Signed by Judge Amy Berman Jackson on 3/28/2023. (lcabj1) (Entered: 03/28/2023)
04/28/2023	<u>23</u>	MOTION for Extension of Time to <i>File Defendant's Motion for Summary Judgment</i> by FEDERAL BUREAU OF PRISONS. (Adebonojo, Kenneth) (Entered: 04/28/2023)
05/02/2023		MINUTE ORDER granting <u>23</u> Motion for Extension of Time. Defendant must file its Motion for Summary Judgment by June 28, 2023. Plaintiff's opposition must be submitted by July 17, 2023. Defendant's reply must be submitted by August 8, 2023. Signed by Judge Amy Berman Jackson on 5/2/2023. (lcabj1) (Entered: 05/02/2023)
06/27/2023	<u>24</u>	MOTION for Extension of Time to <i>File Defendant's Dispositive Motion</i> by FEDERAL BUREAU OF PRISONS. (Adebonojo, Kenneth) (Entered: 06/27/2023)
06/28/2023		MINUTE ORDER granting <u>24</u> Motion for Extension of Time. Defendant must file its Motion for Summary Judgment by August 31, 2023. Plaintiff's opposition must be submitted by October 16, 2023. Defendant's reply must be submitted by November 7, 2023. Signed by Judge Amy Berman Jackson on 6/28/2023. (lcabj1) (Entered: 06/28/2023)
08/31/2023	<u>25</u>	Consent MOTION for Extension of Time to <i>File Defendant's Motion for Summary Judgment</i> by FEDERAL BUREAU OF PRISONS. (Adebonojo, Kenneth) (Entered: 08/31/2023)
08/31/2023	<u>26</u>	NOTICE re <u>25</u> of <i>Correction of ECF No. 25</i> by FEDERAL BUREAU OF PRISONS (Adebonojo, Kenneth) Modified to add link on 8/31/2023 (znmw). (Entered: 08/31/2023)
09/05/2023		MINUTE ORDER granting <u>25</u> Motion for Extension of Time. Defendant must file its Motion for Summary Judgment by October 31, 2023. Plaintiff's opposition must be submitted by December 15, 2023. Defendant's reply must be submitted by January 16, 2024. Signed by Judge Amy Berman Jackson on 9/5/2023. (lcabj1) (Entered: 09/05/2023)
10/30/2023	<u>27</u>	MOTION for Extension of Time to <i>File Defendant's Motion for Summary Judgment</i> by FEDERAL BUREAU OF PRISONS. (Adebonojo, Kenneth) (Entered: 10/30/2023)
11/01/2023		MINUTE ORDER granting <u>27</u> Motion for Extension of Time. Defendant must file its Motion for Summary Judgment by December 7, 2023. Plaintiff's opposition must be submitted by January 22, 2024. Defendant's reply must be submitted by February 22, 2024. SO ORDERED. Signed by Judge Amy Berman Jackson on 11/1/2023. (lcabj1) (Entered: 11/01/2023)
12/07/2023	<u>28</u>	MOTION for Extension of Time to <i>File Defendant's Dispositive Motion</i> by FEDERAL BUREAU OF PRISONS. (Adebonojo, Kenneth) (Entered: 12/07/2023)
12/11/2023		MINUTE ORDER granting <u>28</u> Motion for Extension of Time. Defendant must file its Motion for Summary Judgment by December 12, 2023. Plaintiff's opposition must be submitted by January 27, 2024. Defendant's reply must be submitted by February 27, 2024. SO ORDERED. Signed by Judge Amy Berman Jackson on 12/11/2023. (lcabj1) (Entered: 12/11/2023)
12/12/2023	<u>29</u>	MOTION for Extension of Time to <i>File Defendant's Motion for Summary Judgment</i> by FEDERAL BUREAU OF PRISONS. (Adebonojo, Kenneth) (Entered: 12/12/2023)
12/13/2023	<u>30</u>	NOTICE re <u>29</u> of <i>Filing of Supplement to Defendant's Motion to Enlarge</i> by FEDERAL BUREAU OF PRISONS (Adebonojo, Kenneth) Modified to add link on 12/13/2023 (znmw). (Entered: 12/13/2023)
12/13/2023		MINUTE ORDER. Upon good cause shown in the Motion and the <u>30</u> supplement, the <u>29</u> Motion for Extension of Time is GRANTED. Defendant must file its Motion for Summary Judgment by January 16, 2024. Plaintiff's opposition must be submitted by

		March 29, 2024. Defendant's reply must be submitted by April 23, 2024. SO ORDERED. Signed by Judge Amy Berman Jackson on 12/13/2023. (lcabj1) (Entered: 12/13/2023)
01/16/2024	<u>31</u>	MOTION for Extension of Time to <i>File Defendant's Motion for Summary Judgment</i> by FEDERAL BUREAU OF PRISONS. (Adebonojo, Kenneth) (Entered: 01/16/2024)
01/17/2024		MINUTE ORDER granting <u>31</u> Motion for Extension of Time. Defendant must file its Motion for Summary Judgment by February 29, 2024. Plaintiff's opposition must be submitted by April 15, 2024. Defendant's reply must be submitted by May 7, 2024. SO ORDERED. Signed by Judge Amy Berman Jackson on 1/17/2024. (lcabj1) (Entered: 01/17/2024)
02/29/2024	<u>32</u>	MOTION for Extension of Time to <i>File Defendant's Dispositive Motion</i> by FEDERAL BUREAU OF PRISONS. (Adebonojo, Kenneth) (Entered: 02/29/2024)
02/29/2024		MINUTE ORDER granting <u>32</u> Motion for Extension of Time. Defendant must file its Motion for Summary Judgment by April 9, 2024. Plaintiff's opposition must be submitted by May 17, 2024. Defendant's reply must be submitted by June 18, 2024. SO ORDERED. Signed by Judge Amy Berman Jackson on 2/29/2024. (lcabj1) (Entered: 02/29/2024)
04/09/2024	<u>33</u>	MOTION for Extension of Time to <i>File Defendant's Motion for Summary Judgment</i> by FEDERAL BUREAU OF PRISONS. (Adebonojo, Kenneth) (Entered: 04/09/2024)
04/10/2024		MINUTE ORDER granting <u>33</u> Motion for Extension of Time. Defendant must file its Motion for Summary Judgment by April 30, 2024. Plaintiff's opposition must be submitted by June 17, 2024. Defendant's reply must be submitted by July 16, 2024. The Court will not accept any further motions for extensions of time. SO ORDERED. Signed by Judge Amy Berman Jackson on 4/10/2024. (lcabj1) (Entered: 04/10/2024)
04/30/2024	<u>34</u>	MOTION for Extension of Time to <i>File Defendant's Motion for Summary Judgment</i> by FEDERAL BUREAU OF PRISONS. (Adebonojo, Kenneth) (Entered: 04/30/2024)
05/02/2024		MINUTE ORDER granting <u>34</u> Motion for Extension of Time. Defendant must file its Motion for Summary Judgment by May 7, 2024. Plaintiff's opposition must be submitted by June 24, 2024. Defendant's reply must be submitted by July 24, 2024. The Court expects counsel to go into the office physically if that is what it takes to resolve the issues noted in the motion. SO ORDERED. Signed by Judge Amy Berman Jackson on 5/2/2024. (lcabj1) (Entered: 05/02/2024)
05/07/2024	<u>35</u>	MOTION for Extension of Time to <i>File Defendant's Motion for Summary Judgment</i> by FEDERAL BUREAU OF PRISONS. (Adebonojo, Kenneth) (Entered: 05/07/2024)
05/08/2024		MINUTE ORDER granting <u>35</u> Motion for Extension of Time. Defendant must file its Motion for Summary Judgment by May 14, 2024. Plaintiff's opposition must be submitted by July 1, 2024. Defendant's reply must be submitted by July 31, 2024. If yet another deadline -- proposed by counsel -- goes by, counsel must appear in Courtroom 25 at 3:00 pm on May 21 to explain himself. SO ORDERED. Signed by Judge Amy Berman Jackson on 5/8/2024. (lcabj1) (Entered: 05/08/2024)
05/14/2024	<u>36</u>	MOTION for Summary Judgment by FEDERAL BUREAU OF PRISONS. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Memorandum in Support, # <u>3</u> Declaration, # <u>4</u> Exhibit, # <u>5</u> Exhibit)(Adebonojo, Kenneth) (Entered: 05/14/2024)