

**U.S. District Court
Western District of Oklahoma[LIVE] (Oklahoma City)
CIVIL DOCKET FOR CASE #: 5:23-cv-00097-D**

Christensen v. National Center for Missing and Exploited
Children
Assigned to: Chief Judge Timothy D. DeGiusti
Cause: 05:552 Freedom of Information Act

Date Filed: 01/27/2023
Date Terminated: 03/22/2024
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: Federal Question

Plaintiff**Stephen Randall Christensen, Jr**

represented by **Stephen Randall Christensen, Jr**
#680526
HINTON– Great Plains Correctional
Facility
7–DELTA–107
PO Box 700
Hinton, OK 73047
PRO SE

V.

Defendant**National Center for Missing and
Exploited Children**

represented by **Evan H Way**
Crowe & Dunlevy–OKC
Braniff Building
324 N Robinson Ave
Suite 100
Oklahoma City, OK 73102
405–239–6636
Fax: 405–272–5970
Email: evan.way@crowedunlevy.com
ATTORNEY TO BE NOTICED

Logan Rutherford
Bryan Cave Leighton Paisner LLP
1200 Main Street
Suite 3800
Kansas City, MO 64105
816–374–3200
Email: logan.rutherford@bclplaw.com
ATTORNEY TO BE NOTICED

Defendant**United States***TERMINATED: 09/27/2023*

Date Filed	#	Docket Text
01/27/2023	<u>1</u>	COMPLAINT against National Center for Missing and Exploited Children, United States filed by Stephen Randall Christensen, Jr. (Attachments: # <u>1</u> Attachment 1 – Stipulation of Facts, # <u>2</u> Attachment 2 – Records Request, # <u>3</u> Attachment 3 – NMEC Response, # <u>4</u> Envelope)(ekw) (Entered: 01/30/2023)
01/30/2023	<u>2</u>	PREVIOUS Cases (ekw) (Entered: 01/30/2023)
01/30/2023	<u>3</u>	ENTER ORDER REFERRING CASE to Magistrate Judge Shon T. Erwin. Signed by the direction of Chief Judge Timothy D. DeGiusti on 1/30/2023. (ekw) (Entered: 01/30/2023)

02/03/2023	<u>4</u>	ORDER — In order for this action to proceed, Plaintiff must either pay the \$402.00 filing fee or be granted leave to proceed without prepayment of fees. Plaintiff has neither paid the filing fee nor submitted a motion for leave to proceed in forma pauperis. Plaintiff shall cure the deficiencies designated above no later than February 20, 2023. Signed by Magistrate Judge Shon T. Erwin on 2/3/2023. (mc) (Entered: 02/03/2023)
02/21/2023	<u>5</u>	MOTION for Leave to Proceed in forma pauperis by Stephen Randall Christensen, Jr. Motions referred to Shon T. Erwin. (Attachments: # <u>1</u> Attachment 1 – Inmate Account History, # <u>2</u> Attachment 2 – Offender Statement Report, # <u>3</u> Envelope)(ekw) (Entered: 02/21/2023)
02/21/2023	<u>6</u>	NOTICE of Change of Address by Stephen Randall Christensen, Jr (Attachments: # <u>1</u> Envelope)(ekw) (Entered: 02/21/2023)
02/24/2023	<u>7</u>	ORDER granting <u>5</u> Motion for Leave to Proceed in forma pauperis. However, pursuant to 28 U.S.C. § 1915(b)(1), Plaintiff shall be required to pay the full \$350.00 filing fee as set forth. IT IS HEREBY ORDERED that on or before March 13, 2023, Plaintiff pay an initial partial filing fee of \$12.07. See order as more fully set out. Signed by Magistrate Judge Shon T. Erwin on 3/24/2023. (mc) (Entered: 02/24/2023)
03/23/2023	<u>8</u>	REPORT AND RECOMMENDATION — it is recommended that this action be DISMISSED without prejudice for Plaintiff's failure to pay the initial filing fee as ordered by the Court. This report and recommendation terminates the referral to the undersigned magistrate judge unless and until the matter is re-referred. Objections to R&R due by 4/10/2023. Signed by Magistrate Judge Shon T. Erwin on 3/23/2023. (mc) (Entered: 03/23/2023)
03/23/2023		Magistrate Judge Shon T. Erwin no longer assigned to case. (mc) (Entered: 03/23/2023)
04/05/2023	<u>9</u>	OBJECTION to <u>8</u> Report and Recommendation by Stephen Randall Christensen, Jr. (Attachments: # <u>1</u> Exhibit 1 – Inmate/Offender Grievance Process Request to Staff, # <u>2</u> Exhibit 2 – Report and Recommendation, # <u>3</u> Exhibit 3 – Letter, # <u>4</u> Envelope)(ekw) (Entered: 04/05/2023)
04/07/2023	<u>10</u>	ORDER adopting Report and Recommendations to the extent that the recommended dismissal will be ordered if Plaintiff does not comply with the requirement to pay an initial partial filing fee of \$12.07, or show cause in writing for nonpayment, by May 10, 2023 re <u>8</u> Report and Recommendation.. Signed by Chief Judge Timothy D. DeGiusti on 4/7/2023. (mb) (Entered: 04/07/2023)
04/27/2023	<u>11</u>	Receipt for Money Received from Stephen Randall Christensen, Jr in the amount of \$12.07, receipt number 500001854 regarding <u>10</u> Order on Report and Recommendation. Remaining balance is \$337.93. Receipt mailed to Stephen Randall Christensen, Jr #680526 LAWTON-LCF 7-DELTA-107 8607 SE Flower Mound Rd Lawton, OK 73501 (kb) (Entered: 04/27/2023)
04/28/2023	<u>12</u>	ORDER RE-REFERRING CASE to Magistrate Judge Shon T. Erwin. Signed by Chief Judge Timothy D. DeGiusti on 04/28/23. (rr) (Entered: 04/28/2023)
06/26/2023	<u>13</u>	ORDER REQUIRING SERVICE AND ANSWER. See Order as more fully set out. Signed by Magistrate Judge Shon T. Erwin on 6/26/2023. (mc) (Entered: 06/26/2023)
07/05/2023	<u>14</u>	PRO SE LITIGANT'S REQUEST FOR ISSUANCE OF 1 SUMMONS(ES) by Stephen Randall Christensen, Jr. (ekw) (Entered: 07/07/2023)
07/07/2023	<u>15</u>	Summons Issued Electronically as to National Center for Missing and Exploited Children. (ekw) (Entered: 07/07/2023)
07/13/2023	<u>16</u>	SUMMONS Returned Executed by Stephen Randall Christensen, Jr. National Center for Missing and Exploited Children served on 7/13/2023. (naa) (Entered: 07/13/2023)
09/11/2023	<u>17</u>	ENTRY of Appearance by Evan H Way on behalf of National Center for Missing and Exploited Children (Way, Evan) (Entered: 09/11/2023)
09/11/2023	<u>18</u>	MOTION for Summary Judgment <i>and Brief in Support</i> by National Center for Missing and Exploited Children. Motions referred to Shon T. Erwin. (Attachments: # <u>1</u> Exhibit 1-Affidavit of John Shehan, # <u>2</u> Exhibit 2-NCMEC Articles of Incorporation)(Way,

		Evan) (Entered: 09/11/2023)
09/19/2023	<u>19</u>	ORDER TO SHOW CAUSE --- Because Plaintiff has failed to submit proof of service on Defendant United States. He must show cause no later than October 6, 2023, why his claims as to this Defendant should not be dismissed without prejudice. Signed by Magistrate Judge Shon T. Erwin on 9/19/2023. (mc) (Entered: 09/19/2023)
09/27/2023	<u>20</u>	MOTION to Dismiss by Stephen Randall Christensen, Jr. Motions referred to Shon T. Erwin. (Attachments: # <u>1</u> Envelope)(rp) (Entered: 09/27/2023)
10/04/2023	<u>21</u>	ORDER granting <u>20</u> Motion to Dismiss United States of America. Plaintiff's claims against Defendant United States of America were dismissed without prejudice on September 27, 2023 when his Motion ECF No. 20 was filed, and the Clerk of Court is directed to terminate this defendant effective that date. Signed by Magistrate Judge Shon T. Erwin on 10/4/2023. (mc) (Entered: 10/04/2023)
10/12/2023	<u>22</u>	MOTION titled, "Motion for Leave to Amend Complaint of Non-Compliance with 5 U.S.C.A. 552 (F.O.I.A.)" by Stephen Randall Christensen, Jr. Motions referred to Shon T. Erwin. (Attachments: # <u>1</u> Envelope)(ekw) (Entered: 10/12/2023)
10/24/2023	<u>23</u>	MOTION for Leave to Appear Pro Hac Vice (<i>Logan M. Rutherford</i>) Filing fee \$ 100, receipt number AOKWDC-4279079 by National Center for Missing and Exploited Children. Motions referred to Shon T. Erwin. (Attachments: # <u>1</u> Exhibit 1 - Request for Admission PHV)(Way, Evan) (Entered: 10/24/2023)
10/24/2023	<u>24</u>	MOTION for Leave to Appear Pro Hac Vice (<i>Emma McEnery</i>) Filing fee \$ 100, receipt number AOKWDC-4279087 by National Center for Missing and Exploited Children. Motions referred to Shon T. Erwin. (Attachments: # <u>1</u> Exhibit 1 - Request for Admission PHV)(Way, Evan) (Entered: 10/24/2023)
10/26/2023	<u>25</u>	ORDER --- Plaintiff's Motion to Amend Complaint ECF No. <u>22</u> is DENIED. However, Plaintiff is GRANTED additional time to file a more thorough response. Plaintiff shall have until December 29, 2023, to file his response in opposition to the Defendant's Motion for Summary Judgment (ECF No. 18). Defendants will have ten (10) days from date of Plaintiff's filing to reply to any response filed by Plaintiff. Signed by Magistrate Judge Shon T. Erwin on 10/26/2023. (mc) (Entered: 10/26/2023)
11/27/2023	<u>26</u>	MOTION titled, "Plaintiff's RESPONSE to Defendant's" "Motion <u>18</u> for Summary Judgement and Brief in Support" and Combined Plaintiff's MOTION for Summary Judgement" by Stephen Randall Christensen, Jr. Motions referred to Shon T. Erwin. (Attachments: # <u>1</u> Envelope)(ekw) (Entered: 11/28/2023)
11/29/2023	<u>27</u>	ORDER granting <u>23</u> Motion to Appear Pro Hac Vice. The Court GRANTS the Motion for Admission Pro Hac Vice (ECF No. 23) filed in support of the Request for Admission Pro Hac Vice (ECF No. 23-1) signed by Attorney Logan M. Rutherford. Accordingly, it is ORDERED that on or before December 8, 2023, Mr. Rutherford shall electronically file an entry of appearance. See Order as more fully set out. Signed by Magistrate Judge Shon T. Erwin on 11/29/2023. (mc) (Entered: 11/29/2023)
11/29/2023	<u>28</u>	ORDER granting <u>24</u> Motion to Appear Pro Hac Vice. The Court GRANTS the Motion for Admission Pro Hac Vice (ECF No. 24) filed in support of the Request for Admission Pro Hac Vice (ECF No. 24-1) signed by Attorney Emma G. McEnery. Accordingly, it is ORDERED that on or before December 8, 2023, Ms. McEnery shall electronically file an entry of appearance. See Order as more fully set out. Signed by Magistrate Judge Shon T. Erwin on 11/29/2023. (mc) (Entered: 11/29/2023)
12/01/2023	<u>29</u>	ENTRY of Appearance by Logan Rutherford on behalf of National Center for Missing and Exploited Children (Rutherford, Logan) (Entered: 12/01/2023)
12/07/2023	<u>30</u>	REPLY by Defendant National Center for Missing and Exploited Children re <u>26</u> MOTION for Summary Judgment <i>In Support of Its Motion for Summary Judgment</i> filed by National Center for Missing and Exploited Children. (Rutherford, Logan) (Entered: 12/07/2023)
12/14/2023	<u>31</u>	MOTION to Appoint Counsel by Stephen Randall Christensen, Jr. Motions referred to Shon T. Erwin. (Attachments: # <u>1</u> Envelope)(ekw) (Entered: 12/14/2023)

01/03/2024	<u>32</u>	RESPONSE in Opposition re <u>31</u> MOTION to Appoint Counsel filed by National Center for Missing and Exploited Children. (Rutherford, Logan) (Entered: 01/03/2024)
03/01/2024	<u>33</u>	REPORT AND RECOMMENDATION -- it is recommended that Defendant's Motion for Summary Judgment ECF No. <u>18</u> be GRANTED. Adoption of this recommendation would render Plaintiff's Motion for the Appointment of Counsel ECF No. <u>31</u> moot. This Report and Recommendation terminates the referral by the District Judge in this matter. Objections to R&R due by 3/18/2024. Signed by Magistrate Judge Shon T. Erwin on 3/1/2024. (mc) (Entered: 03/01/2024)
03/01/2024		Magistrate Judge Shon T. Erwin no longer assigned to case. (mc) (Entered: 03/01/2024)
03/22/2024	<u>34</u>	ORDER ADOPTING REPORT AND RECOMMENDATION. Defendants Motion for Summary Judgment <u>18</u> is GRANTED. All Plaintiffs motions are moot and, therefore, DENIED. A separate judgment shall be entered accordingly. Signed by Chief Judge Timothy D. DeGiusti on 3/22/2024. (jee) (Entered: 03/22/2024)
03/22/2024	<u>35</u>	JUDGMENT. Signed by Chief Judge Timothy D. DeGiusti on 3/22/2024. (jee) (Entered: 03/22/2024)