

**U.S. District Court
Eastern District of Virginia – (Norfolk)
CIVIL DOCKET FOR CASE #: 2:23-cv-00494-AWA-DEM**

Alvarez Gomez v. United States Department Of Justice et al
Assigned to: District Judge Arenda L. Wright Allen
Referred to: Magistrate Judge Douglas E. Miller
Cause: 05:552 Freedom of Information Act

Date Filed: 10/04/2023
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Juan Carlos Alvarez Gomez

represented by **Alina Marie Kilpatrick**
Sudeste Immigration
In Cooperation with the Sacred Heart
Center
1101 Bainbridge St
Ste 204
Richmond, VA 23224
703-300-4942
Email: alina@sudesteimmigration.com
ATTORNEY TO BE NOTICED

Defendant

United States Department Of Justice

represented by **Sean Douglas Jansen**
United States Attorney's Office – Norfolk
101 W Main St
Suite 8000
Norfolk, VA 23510
(757) 441-6331
Fax: (757) 441-6689
Email: sean.jansen@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Merrick Garland

*Attorney General of the United States in
his official capacity*

represented by **Sean Douglas Jansen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Federal Bureau of Prisons

represented by **Sean Douglas Jansen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Colette S. Peters

*Director, Federal Bureau of Prisons in
her official capacity*

represented by **Sean Douglas Jansen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/04/2023	<u>1</u>	Complaint (Filing fee \$ 402.), filed by Juan Carlos Alvarez Gomez. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit Initial FOIA request, # <u>3</u> Exhibit Acknowledgement of FOIA request, # <u>4</u> Exhibit Notice of Hearing Immigration Court)(Kilpatrick, Alina) (Entered: 10/04/2023)

10/04/2023	<u>2</u>	Motion to appear Pro Hac Vice by Elyssa Williams and Certification of Local Counsel Alina Kilpatrick Filing fee \$ 75, receipt number AVAEDC-9156917. by Juan Carlos Alvarez Gomez. (Attachments: # <u>1</u> Pro hac vice application form)(Kilpatrick, Alina) (Entered: 10/04/2023)
10/04/2023		Initial Case Assignment to District Judge Arenda L. Wright Allen and Magistrate Judge Douglas E. Miller. (epri,) (Entered: 10/04/2023)
10/05/2023		Notice of Correction re <u>2</u> Motion to appear Pro Hac Vice by Elyssa Williams and Certification of Local Counsel Alina Kilpatrick Filing fee \$ 75, receipt number AVAEDC-9156917. The motion does not contain the signature of the applicant. The motion filed also indicates that the applicant is a full-time employee of the United States of America requesting exemption from the filing fee. Local counsel should refile the motion with the corrected information including the written signature of the applicant. Counsel should not pay a second fee. (tlev,) (Entered: 10/05/2023)
10/06/2023	<u>3</u>	Proposed Summons by Juan Carlos Alvarez Gomez. (Kilpatrick, Alina) (Entered: 10/06/2023)
10/06/2023	<u>4</u>	Summons Issued as to All Defendants. NOTICE TO ATTORNEY: Please remove the headers and print two duplexed copies of the electronically issued summons for each Defendant. Please serve one copy of the summons, the attached procedure for Civil Motions and a copy of the Complaint upon each Defendant. Please ensure that your process server returns the service copy (executed or unexecuted) to your attention and electronically file it using the filing events, Summons Returned Executed as to USA or Summons Returned Unexecuted as to USA. (Attachments: # <u>1</u> Procedure for Civil Motions)(dbra,) (Entered: 10/06/2023)
10/19/2023	<u>5</u>	Certificate Reporting Service by United States Department Of Justice. United States Department Of Justice served on 10/16/2023, answer due 12/15/2023. (Jansen, Sean) (Entered: 10/19/2023)
11/13/2023	<u>6</u>	ANSWER to Complaint by Federal Bureau of Prisons, Merrick Garland, Colette S. Peters, United States Department Of Justice.(Jansen, Sean) (Entered: 11/13/2023)
11/14/2023		Refer for 16(b) (dbra,) (Entered: 11/14/2023)
01/22/2024	<u>7</u>	RULE 26(f) PRETRIAL ORDER: Rule 16(b) Telephone Scheduling Conference set for 2/12/2024 at 09:00 AM. Signed by Magistrate Judge Douglas E. Miller and filed on 1/22/2024. (lhow) (Entered: 01/22/2024)
02/07/2024	<u>8</u>	Consent MOTION to Stay <i>Discovery and Issuance of a Scheduling Order</i> by Federal Bureau of Prisons, Merrick Garland, Colette S. Peters, United States Department Of Justice. (Jansen, Sean) (Entered: 02/07/2024)
02/07/2024	<u>9</u>	Memorandum in Support re <u>8</u> Consent MOTION to Stay <i>Discovery and Issuance of a Scheduling Order</i> filed by Federal Bureau of Prisons, Merrick Garland, Colette S. Peters, United States Department Of Justice. (Jansen, Sean) (Entered: 02/07/2024)
02/09/2024	<u>10</u>	ORDER granting <u>8</u> Motion to Stay Discovery and the Issuance of a Scheduling Order. The Rule 16(b) telephonic scheduling conference for 2/12/2024 is STRICKEN. Defendants are DIRECTED to file a Notice within 7 days of completing their FOIA response. See order for additional directives. Signed by District Judge Arenda L. Wright Allen on 2/9/2024. (dbra,) (Entered: 02/09/2024)
03/04/2024	<u>11</u>	NOTICE by Federal Bureau of Prisons, Merrick Garland, Colette S. Peters, United States Department Of Justice re <u>10</u> Order on Motion to Stay, (Jansen, Sean) (Entered: 03/04/2024)
03/11/2024	<u>12</u>	NOTICE by Federal Bureau of Prisons, Merrick Garland, Colette S. Peters, United States Department Of Justice re <u>10</u> Order on Motion to Stay, (Attachments: # <u>1</u> Proposed Order)(Jansen, Sean) (Entered: 03/11/2024)
04/08/2024	<u>13</u>	SCHEDULING ORDER: The Defendants shall file a Motion for Summary Judgment, along with any supporting documents, on or before 5/20/2024. Signed by District Judge Arenda L. Wright Allen on 4/8/24. (ajones) (Entered: 04/08/2024)
05/20/2024	<u>14</u>	MOTION for Summary Judgment by Federal Bureau of Prisons, Merrick Garland, Colette S. Peters, United States Department Of Justice. (Jansen, Sean) (Entered: 05/20/2024)

		05/20/2024)
05/20/2024	<u>15</u>	Memorandum in Support re <u>14</u> MOTION for Summary Judgment filed by Federal Bureau of Prisons, Merrick Garland, Colette S. Peters, United States Department Of Justice. (Attachments: # <u>1</u> Affidavit Declaration of S. White (with exhibits))(Jansen, Sean) (Entered: 05/20/2024)
06/19/2024	<u>16</u>	Cross MOTION for Summary Judgment <i>and Opposition to Defendants' Motion for Summary Judgment</i> by Juan Carlos Alvarez Gomez. (Attachments: # <u>1</u> Exhibit Memorandum of Law and Exhibits)(Kilpatrick, Alina) (Entered: 06/19/2024)
06/19/2024	<u>17</u>	MOTION to Seal <i>Exhibit</i> by Juan Carlos Alvarez Gomez. (Kilpatrick, Alina) (Entered: 06/19/2024)
06/19/2024	<u>18</u>	Notice of Filing Sealing Motion LCvR5(C) by Juan Carlos Alvarez Gomez re <u>17</u> MOTION to Seal <i>Exhibit</i> (Kilpatrick, Alina) (Entered: 06/19/2024)
06/19/2024	<u>19</u>	Sealed Attachment/Exhibit(s) re <u>18</u> Notice of Filing Sealing Motion LCvR5(C). (Kilpatrick, Alina) (Entered: 06/19/2024)
06/19/2024	<u>20</u>	Memorandum in Support re <u>17</u> MOTION to Seal <i>Exhibit</i> filed by Juan Carlos Alvarez Gomez. (Kilpatrick, Alina) (Entered: 06/19/2024)
07/01/2024	<u>21</u>	ORDER granting <u>17</u> Motion to Seal. Signed by District Judge Arenda L. Wright Allen on 7/1/24. (bwell) (Entered: 07/01/2024)
07/02/2024	<u>22</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>16</u> Cross MOTION for Summary Judgment <i>and Opposition to Defendants' Motion for Summary Judgment /Motion to Modify Scheduling Order</i> by Federal Bureau of Prisons, Merrick Garland, Colette S. Peters, United States Department Of Justice. (Jansen, Sean) (Entered: 07/02/2024)
07/02/2024	<u>23</u>	Memorandum in Support re <u>22</u> Consent MOTION for Extension of Time to File Response/Reply as to <u>16</u> Cross MOTION for Summary Judgment <i>and Opposition to Defendants' Motion for Summary Judgment /Motion to Modify Scheduling Order</i> filed by Federal Bureau of Prisons, Merrick Garland, Colette S. Peters, United States Department Of Justice. (Attachments: # <u>1</u> Exhibit Defendants' Exhibit A, # <u>2</u> Proposed Order)(Jansen, Sean) (Entered: 07/02/2024)
07/03/2024	<u>24</u>	ORDER granting <u>22</u> Consent Motion to Modify the Scheduling Order ENTERED AS MODIFIED BY THE COURT. Signed by Magistrate Judge Douglas E. Miller on 7/3/24. (jhie,) (Entered: 07/03/2024)
08/23/2024	<u>25</u>	REPLY to Response to Motion re <u>14</u> MOTION for Summary Judgment filed by Federal Bureau of Prisons, Merrick Garland, Colette S. Peters, United States Department Of Justice. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Jansen, Sean) (Entered: 08/23/2024)
09/06/2024	<u>26</u>	Reply to <u>16</u> Cross MOTION for Summary Judgment <i>and Opposition to Defendants' Motion for Summary Judgment</i> filed by Juan Carlos Alvarez Gomez. (Kilpatrick, Alina) (Entered: 09/06/2024)