

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:23-cv-03641-RCL

MOON v. U.S. MARSHALS SERVICE
Assigned to: Judge Royce C. Lamberth
Related Cases: [1:23-cv-03636-RCL](#)
[1:23-cv-03645-RCL](#)
Cause: 05:552 Freedom of Information Act
Plaintiff

Date Filed: 12/04/2023
Jury Demand: Plaintiff
Nature of Suit: 540 Prisoner Petition:
Mandamus & Other (Other)
Jurisdiction: U.S. Government Defendant

DARNELL WESLY MOON

represented by **DARNELL WESLY MOON**
YAZOO CITY FEDERAL
CORRECTIONAL INSTITUTION
P. O. Box 5000
Yazoo City, MS 39194
Email: legalguru4life@gmail.com
PRO SE

V.

Defendant

U.S. MARSHALS SERVICE

represented by **Stephanie R. Johnson**
DOJ-USAO
601 D Street, NW
Washington, DC 20530
(202) 252-7874
Email: Stephanie.Johnson5@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/04/2023		Initiating Pleading & IFP Application Received on 12/04/2023. A copy of the docket sheet has been mailed to the address of record for the pro se party. (zcb) (Entered: 12/13/2023)
12/04/2023	<u>1</u>	COMPLAINT against U.S. MARSHALS SERVICE with Jury Demand filed by DARNELL WESLY MOON. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Civil Cover Sheet)(zcb) (Entered: 12/13/2023)
12/04/2023	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by DARNELL WESLY MOON. (zcb) (Entered: 12/13/2023)
12/14/2023		MINUTE ORDER: It is hereby ORDERED that <u>2</u> plaintiff's application to proceed in forma pauperis is GRANTED; and it is further ORDERED that the Clerk of Court shall assign this case randomly to a judge for further proceedings. Signed by Judge Beryl A. Howell on 12/14/23. (psu2) (Entered: 12/14/2023)
12/19/2023		Case Assigned to Judge Royce C. Lamberth. (zljn) (Entered: 12/19/2023)
12/19/2023	<u>3</u>	SUMMONS (3) Issued as to U.S. MARSHALS SERVICE, U.S. Attorney and U.S. Attorney General sent to the U.S. Marshals Service. (zljn) (Entered: 12/19/2023)
12/20/2023	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 12/19/2023. (zdp) (Entered: 12/21/2023)
01/04/2024	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. MARSHALS SERVICE served on 1/3/2024 (zdp) (Entered: 01/05/2024)

01/12/2024	<u>6</u>	NOTICE of Appearance by Stephanie R. Johnson on behalf of U.S. MARSHALS SERVICE (Johnson, Stephanie) (Entered: 01/12/2024)
01/12/2024	<u>7</u>	NEW Pro Se Consent To Receive Notices of Electronic Filing by DARNELL WESLY MOON (znmw) (Entered: 01/16/2024)
01/23/2024	<u>8</u>	ANSWER to <u>1</u> Complaint by U.S. MARSHALS SERVICE.(Johnson, Stephanie) (Entered: 01/23/2024)
01/24/2024	<u>9</u>	ORDER: It is hereby ORDERED that the parties shall meet and confer and file a joint report within fifteen days proposing a schedule for: Further status reports; The defendant's processing of responsive records; Filing a Vaughn index; and Filing and briefing dispositive motions. If the parties disagree about the proposed schedule, they shall briefly describe the nature and reasons for disagreement in their joint report. Signed by Judge Royce C. Lamberth on 01/24/2024. (lcrl3) (Entered: 01/24/2024)
02/08/2024	<u>10</u>	STATUS REPORT by U.S. MARSHALS SERVICE. (Johnson, Stephanie) (Entered: 02/08/2024)
02/16/2024	<u>11</u>	ORDER: The parties are hereby ORDERED to file a further Joint Status Report by 04/19/2024. Plaintiff has failed to comply with the Order of the Court to meet and confer and file a joint report with defendant. If plaintiff does not participate in the status report, the Court will review defendant's status report and take appropriate action. Signed by Judge Royce C. Lamberth on 02/16/2024. (lcrl3) (Entered: 02/16/2024)
02/26/2024	<u>12</u>	NOTICE of Change of Financial Circumstances by DARNELL WESLY MOON (zdp) (Entered: 02/29/2024)
02/26/2024	<u>13</u>	NOTICE of Change of Address by DARNELL WESLY MOON (zdp) (Entered: 02/29/2024)
02/26/2024	<u>14</u>	MOTION to Appoint Counsel by DARNELL WESLY MOON. (zdp) (Entered: 02/29/2024)
03/14/2024	<u>15</u>	ORDER denying Motion <u>14</u> to Appoint Counsel: For the reasons stated in the Order, it is hereby ORDERED that plaintiff's Motion to Appoint Counsel is DENIED WITHOUT PREJUDICE. Signed by Judge Royce C. Lamberth on 03/14/2024. (lcrl3) (Entered: 03/14/2024)
03/14/2024	<u>16</u>	NOTICE of Change of Address by DARNELL WESLY MOON (zdp) (Entered: 03/15/2024)
03/29/2024	<u>17</u>	NOTICE to the Court by DARNELL WESLY MOON (zdp) (Entered: 04/02/2024)
04/12/2024	<u>19</u>	MOTION for Order to Reset Deadlines by DARNELL WESLY MOON. (zdp) (Entered: 04/17/2024)
04/12/2024	<u>20</u>	NOTICE of Change of Address by DARNELL WESLY MOON (zdp) (Entered: 04/17/2024)
04/16/2024	<u>18</u>	STATUS REPORT by U.S. MARSHALS SERVICE. (Johnson, Stephanie) (Entered: 04/16/2024)
04/17/2024		MINUTE ORDER: On consideration of Defendant's Status Report <u>18</u> , it is hereby ORDERED that Defendant shall file its next Status Report by 06/21/2024. Plaintiff's Motion <u>19</u> to Reset Deadlines is hereby DENIED as moot. The Clerk is hereby DIRECTED to mail a copy of this Minute Order and a courtesy copy of the docket sheet to Plaintiff at his current address of record. Signed by Judge Royce C. Lamberth on 04/17/2024. (lcrl3) (Entered: 04/17/2024)
05/17/2024	<u>21</u>	MOTION for Order by DARNELL WESLY MOON. (zdp) (Entered: 05/22/2024)
05/28/2024		MINUTE ORDER: Plaintiff has filed a <u>21</u> Motion for Order, in which he asserts that he is currently designated to the administrative segregation unit at his facility, and while there, he has not been served with copies of several of Defendant's filings. While there are certainly different explanations for this occurrence, Plaintiff's <u>21</u> Motion is GRANTED to the extent that he asks the Court to remind Defendant to serve him with copies of all of its submissions via Certified First Class Mail, or otherwise via the method prescribed by his present custodian. Signed by Judge Royce C. Lamberth on

		05/28/2024. (lcrcl3) (Entered: 05/28/2024)
05/31/2024	<u>22</u>	CERTIFICATE OF SERVICE by U.S. MARSHALS SERVICE re <u>18</u> Status Report . (Johnson, Stephanie) (Entered: 05/31/2024)
06/20/2024	<u>23</u>	STATUS REPORT by U.S. MARSHALS SERVICE. (Johnson, Stephanie) (Entered: 06/20/2024)
07/01/2024		MINUTE ORDER: It is ORDERED that the briefing schedule proposed in Defendant's most recent <u>23</u> Status Report is hereby ADOPTED in part. Defendant shall file its Motion for Summary Judgment by 09/04/2024; Plaintiff shall file his Opposition, and any Cross-Motion for Summary Judgment, by 10/18/2024; Defendant shall file a Reply, and Opposition to any Cross-Motion for Summary Judgment, by 11/18/2024; Plaintiff shall file a Reply, if necessary, by 12/18/2024. Signed by Judge Royce C. Lamberth on 06/28/2024. (lcrcl3) (Entered: 07/01/2024)
07/03/2024	<u>24</u>	DEACTIVATE Pro Se Consent To Receive Notices of Electronic Filing by DARNELL WESLY MOON (zdp) (Entered: 07/11/2024)
07/12/2024		MINUTE ORDER: Plaintiff has filed a <u>24</u> Notice, requesting that the Clerk of Court "deactivate" his pro se <u>7</u> Consent To Receive Notices of Electronic Filing. The Court notes, however, that although Plaintiff previously consented to electronic noticing, he never moved for CM/ECF access, see D.C. LCvR 5.4(b)(2); therefore, he has not been permitted to file or receive service electronically. To the extent that, due to the circumstances of his current incarceration, he may not have yet received copies of certain orders, the Clerk of Court is hereby DIRECTED to mail to Plaintiff, at his current address of record, a copy of this Minute Order, an updated docket sheet, and additional courtesy copies of: the Court's Minute Order (dated 4/17/24); the Court's Minute Order (dated 5/28/24); and, the Court's Minute Order (dated 7/1/24). SO ORDERED. Signed by Judge Royce C. Lamberth on 7/12/2024. (psu3) (Entered: 07/12/2024)
07/15/2024	<u>25</u>	STATUS REPORT by DARNELL WESLY MOON. (Attachments: # <u>1</u> Exhibit)(zdp) (Entered: 07/19/2024)
07/23/2024	<u>26</u>	Mail Returned as Undeliverable re Docket Sheet and Minute Order entered on 4/17/2024 Sent to Darnell Wesley Moon; Resent to New Address: Unknown. (smc) (Entered: 07/23/2024)
07/23/2024	<u>27</u>	Mail Returned as Undeliverable re <u>8</u> Answer to Complaint, <u>12</u> Notice (Other), <u>13</u> Notice of Change of Address, <u>10</u> Status Report, <u>9</u> Order, <u>11</u> Status Report Order, Sent to Darnell Wesley Moon; Resent to New Address: Unknown. (smc) (Entered: 07/23/2024)
09/01/2024	<u>28</u>	MOTION for Extension of Time to <i>file Motion for Summary Judgment</i> , MOTION to Modify <i>the Briefing Schedule</i> by U.S. MARSHALS SERVICE. (Attachments: # <u>1</u> Text of Proposed Order)(Johnson, Stephanie) (Entered: 09/01/2024)
09/03/2024	<u>29</u>	CERTIFICATE OF SERVICE by U.S. MARSHALS SERVICE re <u>28</u> MOTION for Extension of Time to <i>file Motion for Summary Judgment</i> MOTION to Modify <i>the Briefing Schedule</i> . (Johnson, Stephanie) (Entered: 09/03/2024)
09/13/2024	<u>30</u>	MOTION for Leave to File Amended Complaint by DARNELL WESLY MOON. (zdp) (Entered: 09/18/2024)
09/20/2024		MINUTE ORDER: First, Plaintiff's <u>30</u> Motion to Amend the Complaint is DENIED without prejudice. He indicates that he seeks to amend his Complaint in response to Defendants' Motion to Dismiss pursuant to Rule 12(b)(6), but Defendant has filed no such Motion. Furthermore, Plaintiff's Motion does not comply with either D.C. LCvR 7(i) or 15.1. Insofar he seeks to clarify the FOIA requests that he challenges in this case, he may file a Status Report, by no later than October 21, 2024, with such clarification, and he may only reference FOIA requests submitted to this Defendant before December 4, 2023. Any later FOIA requests will not be considered. Second, Defendant's <u>28</u> Motion to Extend Briefing Schedule is hereby GRANTED for good cause shown. Defendant shall now file its Motion for Summary Judgment by December 5, 2024; Plaintiff shall file his Opposition, and any Cross-Motion for Summary Judgment, by January 6, 2025; Defendant shall file a Reply, and any Opposition to any Cross-Motion for Summary Judgment, by February 6, 2025, and;

		Plaintiff shall file a Reply, if necessary, by March 10, 2025. SO ORDERED. Signed by Judge Royce C. Lamberth on 9/20/2024. (psu3) (Entered: 09/20/2024)
09/20/2024		Set/Reset Deadlines: Plaintiff's Status Report due by 10/21/2024. Summary Judgment motion due by 12/5/2024. Response to Motion for Summary Judgment/Cross Motion due by 1/6/2025. Reply to Motion for Summary Judgment/Response to Cross Motion due by 2/6/2025. Reply to Cross Motion due by 2/10/2025. (smc) (Entered: 09/20/2024)