

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:96-cv-00422-GK**

MILLER v. BOP  
Assigned to: Judge Gladys Kessler  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 03/06/1996  
Date Terminated: 03/17/1997  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****EMMITT G. MILLER**

represented by **EMMITT G. MILLER**  
R93881-012  
SHERIDAN FEDERAL  
CORRECTIONAL INSTITUTION  
P.O. Box 5000  
Sheridan, OR 97378-5000  
PRO SE

V.

**Defendant****BUREAU OF PRISONS**

represented by **Fred Elmore Haynes**  
U.S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
Criminal Division -- Felony Major  
Crimes  
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Washington, DC 20530  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
03/06/1996	1	COMPLAINT filed by plaintiff EMMITT G. MILLER (kmk) (Entered: 03/13/1996)
03/06/1996		SUMMONS (3) issued to federal party(s) defendant BOP , and non-parties: U.S. Attorney and U.S. Attorney General. (kmk) (Entered: 03/13/1996)
03/06/1996	2	APPLICATION by plaintiff EMMITT G. MILLER to proceed in forma pauperis (kmk) (Entered: 03/13/1996)
03/06/1996		ORDER by Judge Aubrey E. Robinson granting motion to proceed in forma pauperis [2-1] by EMMITT G. MILLER (fiat) (N) (kmk) (Entered: 03/13/1996)
03/15/1996	3	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 3/11/96 (dam) (Entered: 03/19/1996)
03/18/1996	4	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 3/15/96 (dam) (Entered: 03/21/1996)
03/22/1996	5	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/21/96 upon defendant BOP (dam) (Entered: 03/25/1996)
04/15/1996	6	MOTION filed by defendant BOP to extend time to 04/25/96 to answer complaint [1-1] (ldc) (Entered: 04/16/1996)
04/15/1996	7	ATTORNEY APPEARANCE for defendant BOP by Fred E. Haynes. (dam) (Entered: 04/16/1996)

04/18/1996	8	ORDER by Judge Gladys Kessler: granting motion to extend time to 04/25/96 to answer complaint [1-1] [6-1] by BOP; Answer extended to 4/25/96 for BOP (N) (pob) (Entered: 04/18/1996)
04/25/1996	9	MOTION filed by defendant BOP to extend time to 04/26/96 to answer complaint [1-1] (dam) (Entered: 04/26/1996)
04/26/1996	10	MOTION filed by plaintiff EMMITT G. MILLER for order to show cause why defendant's have not answered plaintiff's writ of mandamus ; (fiat) KESSLER, J. (dam) (Entered: 04/29/1996)
04/26/1996	12	NOTICE OF FILING by defendant BOP stating that their motion for summary judgment will be filed next week instead of today. (dam) (Entered: 04/29/1996)
04/26/1996	13	ANSWER TO COMPLAINT [1-1] by defendant BOP. (dam) (Entered: 04/29/1996)
04/29/1996	11	ORDER by Judge Gladys Kessler: granting motion to extend time to 04/26/96 to answer complaint [1-1] [9-1] by BOP; Answer extended to 4/26/96 for BOP (N) (pob) (Entered: 04/29/1996)
05/09/1996	14	MOTION filed by defendant BOP for summary judgment ; exhibits (5) (kmk) (Entered: 05/10/1996)
05/16/1996	15	TRAVERSE by plaintiff Emmitt G. Miller to the Government's response to plaintiff's complaint in the nature of mandamus—pursuant to 28 U.S.C. Section 1361 (dam) (Entered: 05/17/1996)
05/30/1996	16	MOTION filed by plaintiff EMMITT G. MILLER to postpone consideration of defendant's motion for summary judgment ; declaration (1). (tth) (Entered: 05/31/1996)
06/10/1996	17	MOTION filed by defendant BOP for protective order staying discovery ; exhibits (2) (dam) (Entered: 06/12/1996)
08/02/1996	18	ORDER by Judge Gladys Kessler: granting motion for protective order staying discovery [17-1] by BOP; case stayed until further order of the Court (N) (pob) (Entered: 08/02/1996)
08/02/1996	19	ORDER by Judge Gladys Kessler : denying motion to postpone consideration of defendant's motion for summary judgment [16-1] by EMMITT G. MILLER (N) (pob) (Entered: 08/02/1996)
08/02/1996	20	ORDER by Judge Gladys Kessler: that plaintiff respond to the defendant's motion for summary judgment no later than 9/5/96 (N) (pob) (Entered: 08/02/1996)
08/19/1996	21	MEMORANDUM by plaintiff EMMITT G. MILLER in support of his opposition to the motion for summary judgment.; attachments (dam) (Entered: 08/20/1996)
10/16/1996	22	ORDER by Judge Gladys Kessler: denying motion as moot for order to show cause why defendant's have not answered plaintiff's writ of mandamus [10-1] by EMMITT G. MILLER (N) (kmk) (Entered: 10/21/1996)
10/28/1996	23	NOTICE OF APPEAL by plaintiff EMMITT G. MILLER from order [22-1], entered on: 10/16/96. NO FEES PAID. Those attorney's to receive copies of appeal are Fred Haynes and the plaintiff Emmitt G. Miller. (dam) (Entered: 10/29/1996)
10/29/1996		TRANSMITTED PRELIMINARY RECORD on appeal [23-1] by EMMITT G. MILLER to U.S. Court of Appeals (dam) (Entered: 10/29/1996)
11/12/1996		USCA # 96-5314 assigned for appeal [23-1] by EMMITT G. MILLER (dam) (Entered: 11/15/1996)
03/17/1997	24	MEMORANDUM OPINION by Judge Gladys Kessler (N) (pob) (Entered: 03/19/1997)
03/17/1997	25	ORDER by Judge Gladys Kessler: granting motion for summary judgment [14-1] by BOP (N) (pob) (Entered: 03/19/1997)
04/01/1997	26	CERTIFIED COPY of Order filed in USCA dated 96-5314, referencing appeal [23-1] , directing initial partial filing fee to be withheld from appellant's trust fund account.

		USCA # 96-5314 (cjp) (Entered: 04/06/1997)
06/05/1997	27	CERTIFIED COPY of order filed in USCA dated 3/31/97, on appeal [23-1] , dismissing appeal . USCA # 96-5314 (cjp) (Entered: 06/06/1997)