

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:96-cv-00264-RCL**

LONGBEHN v. DOJ, et al
Assigned to: Chief Judge Royce C. Lamberth
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 02/12/1996
Date Terminated: 09/16/1997
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

WILLIAM C. LONGBEHN

represented by **WILLIAM C. LONGBEHN**
R03489-041
OXFORD FEDERAL CORRECTIONAL
INSTITUTION
P.O. Box 1000
Oxford, WI 53952-1000
PRO SE

V.

Defendant

**FEDERAL BUREAU OF
INVESTIGATION**

represented by **Cynthia Ann Schnedar**
U.S. ATTORNEY'S OFFICE
Judiciary Center Building
555 Fourth Street, NW
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LEAD ATTORNEY
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Darya Geetter
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Defendant

U.S. DEPARTMENT OF JUSTICE
Office of Information and Privacy

represented by **Cynthia Ann Schnedar**
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Defendant

BUREAU OF PRISONS

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Defendant

US MARSHAL SERVICE

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Defendant

**UNITED STATES PAROLE
COMMISSION**

represented by **Cynthia Ann Schnedar**
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Darya Geetter
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Defendant

U.S. POSTAL SERVICE

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Defendant

US CUSTOMS SERVICE

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Darya Geetter
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Defendant

INTERNAL REVENUE SERVICE

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Defendant

**BUREAU OF ALCOHOL, TOBACCO,
FIREARMS, AND EXPLOSIVES**

represented by **Cynthia Ann Schnedar**
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Darya Geetter
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Defendant

UNITED STATES SECRET SERVICE

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Darya Geetter
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Defendant

NATIONAL SECURITY AGENCY

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Darya Geetter
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Defendant

**CENTRAL INTELLIGENCE
AGENCY**

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Movant

**U.S. NATIONAL CENTRAL BUREAU
INTERPOL**

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Darya Geetter
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ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|----|--|
| 01/10/1996 | 42 | ORDER by Judge Royce C. Lamberth : granting motion to extend time to 7/25/96 to respond to Court's Order of May 17, 1996 [39-1] by federal defendantssssssssss (N) (fle) (Entered: 07/11/1996) |
| 02/12/1996 | 1 | COMPLAINT filed by plaintiff WILLIAM C. LONGBEHN (mlp) (Entered: 02/13/1996) |
| 02/12/1996 | 2 | APPLICATION by plaintiff WILLIAM C. LONGBEHN to proceed in forma pauperis (mlp) (Entered: 02/13/1996) |
| 02/12/1996 | | ORDER by Judge Aubrey E. Robinson granting motion to proceed in forma pauperis [2-1] by WILLIAM C. LONGBEHN (fiat) (N) (mlp) (Entered: 02/13/1996) |
| 02/12/1996 | | SUMMONS (17) issued to federal party(s) federal defendant DOJ, federal defendant DOJ, federal defendant FBI, federal defendant DOJ, federal defendant DOJ, federal defendant BOP, federal defendant U.S. MARSHALS, federal defendant U.S. PAROLE COMM., federal defendant U.S. POSTAL SERVICE, federal defendant U.S. CUSTOMS SERVICE, federal defendant IRS, federal defendant ATF, federal defendant U.S. SECRET SERVICE, federal defendant NATL. SEC. AGENCY, federal defendant CIA , and non-parties: U.S. Attorney and U.S. Attorney General. (mlp) (Entered: 02/13/1996) |
| 02/20/1996 | 3 | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 2/14/96 by serving Ida Jenkins (bjsp) (Entered: 02/21/1996) |
| 02/20/1996 | 4 | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 2/15/96 upon federal defendant U.S. CUSTOMS SERVICE (bjsp) (Entered: 02/21/1996) |
| 02/20/1996 | 5 | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 2/15/96 upon federal defendant U.S. POSTAL SERVICE (bjsp) (Entered: 02/21/1996) |
| 02/20/1996 | 6 | RETURN OF SERVICE/AFFIDAVIT of summons and complaint unexecuted as to CIA. (bjsp) (Entered: 02/21/1996) |
| 02/20/1996 | 7 | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 2/15/96 upon federal defendant ATF (mlp) (Entered: 02/22/1996) |
| 02/23/1996 | 8 | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 2/22/96 upon federal defendant U.S. MARSHALS (lpp) (Entered: 02/26/1996) |
| 02/23/1996 | | SUMMONS (1) REISSUED for federal defendant CIA . (mlp) (Entered: 02/26/1996) |
| 02/27/1996 | 9 | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 2/26/96 upon federal defendant U.S. SECRET SERVICE (lpp) (Entered: 02/28/1996) |
| 02/27/1996 | 10 | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 2/27/92 (lpp) (Entered: 02/28/1996) |
| 02/27/1996 | 11 | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 2/26/96 upon federal defendant DOJ (lpp) (Entered: 02/28/1996) |
| 02/27/1996 | 12 | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 2/26/96 upon federal defendant DOJ (lpp) (Entered: 02/28/1996) |
| 02/27/1996 | 13 | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 2/26/96 upon federal defendant DOJ (lpp) (Entered: 02/28/1996) |
| 02/27/1996 | 14 | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 2/26/96 upon federal defendant U.S. PAROLE COMM. (lpp) (Entered: 02/28/1996) |

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| 02/27/1996 | 15 | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 2/26/96 (lpp) (Entered: 02/28/1996) |
| 03/01/1996 | 16 | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 2/28/96 upon federal defendant FBI (bjsp) (Entered: 03/04/1996) |
| 03/01/1996 | 17 | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 2/29/96 upon federal defendant NATL. SEC. AGENCY (bjsp) (Entered: 03/04/1996) |
| 03/15/1996 | 18 | ATTORNEY APPEARANCE for federal defendants by Darya Geetter (mlp) (Entered: 03/18/1996) |
| 03/15/1996 | 19 | MOTION filed by federal defendants to extend time to 4/24/96 to answer complaint [1-1] (mlp) (Entered: 03/18/1996) |
| 03/15/1996 | 21 | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/11/96 upon federal defendant IRS (lpp) (Entered: 03/19/1996) |
| 03/18/1996 | 22 | ANSWER OF COUNT IV TO COMPLAINT [1-1] by federal defendant IRS . (dam) (Entered: 03/20/1996) |
| 03/18/1996 | 23 | MOTION filed by federal defendant DOJ, TAX DIVISION to dismiss COUNT VI OF THE COMPLAINT UNDER RULE 12 (b)(1) for lack of subject matter jurisdiction ; exhibits (3) (dam) (Entered: 03/20/1996) |
| 03/19/1996 | 20 | ORDER by Judge Royce C. Lamberth : granting motion to extend time to 4/24/96 to answer complaint [1-1] [19-1] by federal defendants. (N) (fle) (Entered: 03/19/1996) |
| 03/21/1996 | 24 | ORDER by Judge Royce C. Lamberth : advising plaintiff that he must respond to defendants motion to dismiss or for summary judgment within fourteen days, if plaintiff does not respond the court will treat the motion as conceded and will dismiss the complaint. (N) (fle) (Entered: 03/22/1996) |
| 03/22/1996 | 25 | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 3/21/96 upon federal defendant BOP (bm) (Entered: 03/25/1996) |
| 04/09/1996 | 26 | RESPONSE by plaintiff WILLIAM C. LONGBEHN to motion to dismiss COUNT VI OF THE COMPLAINT UNDER RULE 12 (b)(1) for lack of subject matter jurisdiction [23-1] by DOJ or motion for summary judgment (cjp) Modified on 04/15/1996 (Entered: 04/15/1996) |
| 04/12/1996 | 27 | REPLY by federal defendant in further support of motion by DOJ's motion to dismiss COUNT VI OF THE COMPLAINT UNDER RULE 12 (b)(1) for lack of subject matter jurisdiction [23-1] by DOJ (st) (Entered: 04/15/1996) |
| 04/23/1996 | 28 | NOTICE OF FILING by plaintiff WILLIAM C. LONGBEHN of a copy of FBI response to administrative appeal. (st) (Entered: 04/24/1996) |
| 04/24/1996 | 29 | MOTION filed by federal defendant to extend time to 5/7/96 to answer complaint [1-1] (st) (Entered: 04/25/1996) |
| 04/25/1996 | 30 | ORDER by Judge Royce C. Lamberth : granting motion to extend time to 5/7/96 to answer complaint [1-1] [29-1] by federal defendantssssssssssss ; Answer extended to 5/7/96 for CIA, for NATL. SEC. AGENCY, for U.S. SECRET SERVICE, for ATF, for U.S. CUSTOMS SERVICE, for U.S. POSTAL SERVICE, for U.S. PAROLE COMM., for U.S. MARSHALS, for BOP, for FBI ; Answer extended to 5/7/96 for CIA, for NATL. SEC. AGENCY, for U.S. SECRET SERVICE, for ATF, for U.S. CUSTOMS SERVICE, for U.S. POSTAL SERVICE, for U.S. PAROLE COMM., for U.S. MARSHALS, for BOP, for FBI (N) (fle) (Entered: 04/26/1996) |
| 05/07/1996 | 31 | MOTION filed by federal defendants to extend time to 5/8/96 to answer complaint [1-1] (st) (Entered: 05/08/1996) |
| 05/08/1996 | 32 | ANSWER TO COMPLAINT [1-1] by federal defendants. (st) (Entered: 05/09/1996) |
| 05/10/1996 | 33 | ORDER by Judge Royce C. Lamberth : granting motion to extend time to 5/8/96 to answer complaint [1-1] [31-1] by federal defendants; nonc pro tunc. (N) (fle) (Entered: 05/13/1996) |

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| 05/17/1996 | 34 | ORDER by Judge Royce C. Lamberth : directing defendants who answered plaintiff's complaint on 5/8/96 to file any dispositive motion within 10 days of date of this order. (N) (mon) (Entered: 05/17/1996) |
| 05/28/1996 | 36 | MOTION filed by federal defendant to extend time to 7/15/96 to respond to Court's Order of May 17, 1996 (st) Modified on 06/03/1996 (Entered: 05/29/1996) |
| 05/31/1996 | 37 | ORDER by Judge Royce C. Lamberth : granting motion to extend time to 7/15/96 to respond to Court's Order of May 17, 1996 [36-1] by federal defendantssssssssss dispositive motions due by 7/15/96 ; (N) (fle) (Entered: 06/04/1996) |
| 06/10/1996 | 38 | OBJECTIONS by plaintiff WILLIAM C. LONGBEHN to motion to extend time to 7/15/96 to respond to Court's Order of May 17, 1996 [36-1] by federal defendants. (st) (Entered: 06/12/1996) |
| 07/09/1996 | 39 | MOTION filed by federal defendant to extend time to 7/25/96 to respond to Court's Order of May 17, 1996 (st) (Entered: 07/11/1996) |
| 07/09/1996 | 40 | NOTICE OF FILING (FIRST) by federal defendant of declarations (st) (Entered: 07/11/1996) |
| 07/09/1996 | 41 | NOTICE OF FILING (SECOND) by federal defendant of declarations. (st) (Entered: 07/11/1996) |
| 07/18/1996 | 43 | OBJECTIONS by plaintiff WILLIAM C. LONGBEHN to motion to extend time to 7/25/96 to respond to Court's Order of May 17, 1996 [39-1] by federal defendants (st) (Entered: 07/22/1996) |
| 07/25/1996 | 44 | MOTION filed by federal defendant to stay case as to federal defendant FBI until 5/31/99 (st) (Entered: 07/29/1996) |
| 07/25/1996 | 45 | MOTION filed by federal defendant U.S. MARSHALS to dismiss complaint [1-1] , or in the alternative for summary judgment (st) (Entered: 07/29/1996) |
| 07/25/1996 | 46 | MOTION filed by federal defendant BOP for summary judgment (st) (Entered: 07/29/1996) |
| 07/25/1996 | 47 | MOTION filed by federal defendant U.S. SECRET SERVICE to dismiss complaint [1-1] , or in the alternative for summary judgment (st) (Entered: 07/29/1996) |
| 07/25/1996 | 48 | MOTION filed by federal defendant U.S. MARSHALS for summary judgment (st) (Entered: 07/29/1996) |
| 07/25/1996 | 49 | MOTION filed by federal defendant DOJ Criminal Division for summary judgment (st) (Entered: 07/29/1996) |
| 07/25/1996 | 50 | MOTION filed by federal defendant to extend time to 8/2/96 to respond to Court's order of 5/17/96 (st) (Entered: 07/29/1996) |
| 07/26/1996 | 51 | ORDER by Judge Royce C. Lamberth : granting motion to extend time to 8/2/96 to respond to Court's order of 5/17/96 [50-1] by federal defendantssssssssssss response to dispositive motions due by 8/2/96 ; (N) (fle) (Entered: 07/29/1996) |
| 08/02/1996 | 52 | MOTION filed by federal defendant US PAROLE COMMISSION, federal defendant U.S. POSTAL SERVICE, federal defendant ATF, federal defendant NATL. SEC. AGENCY, federal defendant CIA, Non Party U.S. NATL. CENTRAL to dismiss complaint [1-1] , or in the alternative for summary judgment (st) (Entered: 08/05/1996) |
| 08/02/1996 | 53 | MOTION filed by federal defendant EXECUTIVE OFFICE FOR U.S. ATTORNEYS for summary judgment (st) (Entered: 08/05/1996) |
| 08/05/1996 | 54 | MOTION filed by plaintiff WILLIAM C. LONGBEHN to extend time to thirty days to reply to defendant's motion for a stay (st) (Entered: 08/06/1996) |
| 08/09/1996 | 55 | ORDER by Judge Royce C. Lamberth : granting motion to extend time to thirty days to reply to defendant's motion for a stay [54-1] by WILLIAM C. LONGBEHN; plaintiff's opposition shall be due on 09/01/96. (N) time until 09/01/96 (fle) (Entered: 08/12/1996) |

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| 09/06/1996 | 56 | RESPONSE by plaintiff WILLIAM C. LONGBEHN to motion to stay case as to federal defendant FBI until 5/31/99 [44-1] by federal defendants (st) (Entered: 09/09/1996) |
| 09/16/1996 | 57 | SUBSTITUTION OF COUNSEL for federal defendant, substituting for attorney Darya Geetter for US PAROLE COMMISSION, attorney Darya Geetter for U.S. MARSHALS, attorney Darya Geetter for BOP, attorney Darya Geetter for DOJ, attorney Darya Geetter for DOJ, attorney Darya Geetter for FBI, attorney Darya Geetter for DOJ (st) (Entered: 09/17/1996) |
| 09/16/1996 | 58 | REPLY by federal defendant, plaintiff' opposition to defendants' motion to stay case as to federal defendant FBI until 5/31/99 [44-1] by federal defendants. (st) (Entered: 09/17/1996) |
| 05/08/1997 | 59 | ORDER by Judge Royce C. Lamberth : deft shall file dispositive motion within 10 days; oppositions due 14 days thereafter (N) (lin) (Entered: 05/09/1997) |
| 05/08/1997 | 60 | ORDER by Judge Royce C. Lamberth : granting motion to dismiss complaint [1-1] [47-1] by U.S. SECRET SERVICE (N) (lin) (Entered: 05/09/1997) |
| 05/08/1997 | 62 | ORDER by Judge Royce C. Lamberth : granting motion to dismiss [46-1] by BOP (N) (lin) (Entered: 05/09/1997) |
| 05/08/1997 | 63 | ORDER by Judge Royce C. Lamberth : granting motion to dismiss COUNT VI OF THE COMPLAINT UNDER RULE 12 (b)(1) for lack of subject matter jurisdiction [23-1] by DOJ (N) (lin) (Entered: 05/09/1997) |
| 05/08/1997 | 64 | ORDER by Judge Royce C. Lamberth : granting motion for summary judgment [53-1] by DOJ (N) (lin) (Entered: 05/09/1997) |
| 05/08/1997 | 65 | ORDER by Judge Royce C. Lamberth : granting motion to dismiss complaint [1-1] [52-1] by Central Intelligence Agency, National Security Agency, U.S. Parole Commission, Bureau of Alcohol, Tobacco and Firearms, United States Postal Service and the United States National Central Bureau. (N) (lin) (Entered: 05/09/1997) |
| 05/08/1997 | 68 | ORDER dismissing U.S. Customs Service by Judge Royce C. Lamberth : (N) (lin) (Entered: 05/23/1997) |
| 05/08/1997 | 69 | ORDER by Judge Royce C. Lamberth : granting motion to stay case as to federal defendant FBI until 5/31/99 [44-1] by federal defendants (N) (lin) (Entered: 05/23/1997) |
| 05/08/1997 | | Text not available. (Entered: 05/23/1997) |
| 05/09/1997 | 61 | ORDER by Judge Royce C. Lamberth : granting motion to dismiss complaint [1-1] [45-1] by U.S. MARSHALS (N) (lin) (Entered: 05/09/1997) |
| 05/13/1997 | 66 | MOTION filed by federal defendant IRS to dismiss complaint in part Court IV of the complaint under Rule 12 (h) (3) for lack of subject matter jurisdiction [1-1] ; declarations (2) exhibits (2) (bjsp) Modified on 05/14/1997 (Entered: 05/14/1997) |
| 05/22/1997 | 67 | NOTICE OF INTERLOCUTORY APPEAL by plaintiff WILLIAM C. LONGBEHN from order [65-1], order [64-1], order [63-1], order [62-1], order [60-1], dated 5/8/97, entered on: 5/9/97. In forma pauperis, no fees paid. Copies mailed to plaintiff and all counsel of record. (mlp) (Entered: 05/23/1997) |
| 05/23/1997 | | TRANSMITTED PRELIMINARY RECORD on appeal [67-1] by WILLIAM C. LONGBEHN to U.S. Court of Appeals (mlp) (Entered: 05/23/1997) |
| 05/30/1997 | | USCA # 97-5134 assigned for appeal [67-1] by WILLIAM C. LONGBEHN (st) (Entered: 06/02/1997) |
| 05/30/1997 | 70 | MOTION filed by plaintiff WILLIAM C. LONGBEHN to extend time to fifteen days to respond to defendant's motion to dismiss (st) (Entered: 06/02/1997) |
| 06/13/1997 | 71 | RESPONSE (OPPOSITIONS) by plaintiff WILLIAM C. LONGBEHN to motion to dismiss complaint in part Court IV of the complaint under Rule 12 (h) (3) for lack of subject matter jurisdiction [1-1] [66-1] by IRS (st) (Entered: 06/16/1997) |

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| 06/13/1997 | 72 | REPLY by federal defendant IRS in support of motion to dismiss complaint in part Court IV of the complaint under Rule 12 (h) (3) for lack of subject matter jurisdiction [1-1] [66-1] by IRS (st) (Entered: 06/16/1997) |
| 09/16/1997 | 73 | ORDER by Judge Royce C. Lamberth : granting motion to extend time to fifteen days to respond to defendant's motion to dismiss [70-1] by WILLIAM C. LONGBEHN, granting motion to dismiss complaint in part Court IV of the complaint under Rule 12 (h) (3) for lack of subject matter jurisdiction [1-1] [66-1] by IRS; dismissing the complaint insofar as it relates to IRS. (N) (emh) (Entered: 09/24/1997) |
| 09/16/1997 | 74 | ORDER by Judge Royce C. Lamberth : terminating this case on the active dockets, subject to reopening within 30 days. (N) (emh) (Entered: 09/24/1997) |
| 01/30/1998 | 75 | CERTIFIED COPY of Order filed in USCA dated 1/29/98, referencing appeal [67-1] , directing initial partial filing fee. 97-5134 USCA # (cjp) (Entered: 01/30/1998) |
| 03/25/1998 | 76 | CERTIFIED COPY of Order filed in USCA dated 1/29/98 referencing appeal [67-1] , dismissing appeal . USCA # 97-5134 (cjp) (Entered: 03/29/1998) |