

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:95-cv-02365-JR**

PATEL v. U.S. CUSTOMS SERVICE, et al
Assigned to: Judge James Robertson
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 12/26/1995
Date Terminated: 06/11/1997
Jury Demand: Plaintiff
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

KAMAL K. PATEL

represented by **KAMAL K. PATEL**
R56496-080
BIG SPRING
Airpark Unit
FEDERAL CORRECTIONAL
INSTITUTION
Inmate Mail/Parcels
1900 SIMLER AVE
BIG SPRING, TX 79720
PRO SE

V.

Defendant

US CUSTOMS SERVICE

represented by **Benjamin R. Barnett**
U.S. ATTORNEY'S OFFICE
Judiciary Center Building
555 Fourth Street, NW
Room 9816
Washington, DC 20530
(202) 307-0372
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Suzanne Claire Nyland
U.S. ATTORNEY'S OFFICE
Judiciary Center Building
555 Fourth Street, NW
Washington, DC 20530
(202) 252-6751
Email: suzanne.c.nyland@usdoj.gov
TERMINATED: 04/25/1997
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

UNITED STATES OF AMERICA

represented by **Benjamin R. Barnett**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Suzanne Claire Nyland
(See above for address)
TERMINATED: 04/25/1997
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/26/1995	1	COMPLAINT filed by plaintiff KAMAL K. PATEL; jury demand (JMF) (Entered: 12/27/1995)
12/26/1995	2	MOTION filed by plaintiff KAMAL K. PATEL to proceed in forma pauperis (JMF) (Entered: 12/27/1995)
12/26/1995		ORDER by Judge Aubrey E. Robinson granting motion to proceed in forma pauperis [2-1] by KAMAL K. PATEL (fiat) (N) (JMF) (Entered: 12/27/1995)
12/26/1995		MAILED CJRA brochure, Meet and Confer list, and Notice regarding dismissal to plaintiff KAMAL K. PATEL . (JMF) (Entered: 12/27/1995)
12/26/1995		SUMMONS (4) issued to federal party(s) federal defendant U.S. CUSTOMS SERVICE, federal defendant USA , and non-parties: U.S. Attorney and U.S. Attorney General. (JMF) (Entered: 12/27/1995)
01/05/1996	3	MOTION filed by plaintiff KAMAL K. PATEL for issuance of summons and service of process and summons by the U.S. Marshall Service (JMF) Modified on 01/24/1996 (Entered: 01/11/1996)
01/18/1996	4	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 1/17/96 (JMF) (Entered: 01/19/1996)
01/18/1996	5	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 1/17/96 (JMF) (Entered: 01/19/1996)
01/18/1996	6	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 1/17/96 (JMF) (Entered: 01/19/1996)
01/26/1996	7	ORDER by Judge James Robertson : denying as moot motion for issuance of summons and service of process and summons by the U.S. Marshall Service [3-1] by KAMAL K. PATEL (N) (jeb) (Entered: 01/26/1996)
01/26/1996	8	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 1/18/96 upon federal defendant U.S. CUSTOMS SERVICE (JMF) (Entered: 01/29/1996)
02/16/1996	9	MOTION filed by federal defendant U.S. CUSTOMS SERVICE, federal defendant USA to extend time to March 26, 1996 to answer complaint [1-1] (JMF) (Entered: 02/20/1996)
02/21/1996	10	ORDER by Judge James Robertson : granting motion to extend time to March 26, 1996 to answer complaint [1-1] [9-1] by USA, U.S. CUSTOMS SERVICE (N) (bjl) (Entered: 02/22/1996)
02/23/1996	11	NOTICE OF CHANGE OF ADDRESS by KAMAL K. PATEL representing plaintiff KAMAL K. PATEL . New address: BOP; (56496080); Houston Unit; 3150 Horton Road-FMC; Fort Worth TX 76119. (JMF) (Entered: 02/26/1996)
03/06/1996	12	NOTICE OF CHANGE OF ADDRESS by KAMAL K. PATEL representing plaintiff KAMAL K. PATEL . New address: 3150 Horton Road (FMC) Fort Worth TX 76119; Reg No. 56496-080 Houston. (JMF) (Entered: 03/07/1996)
03/12/1996	13	NOTICE OF FILING by federal defendant U.S. CUSTOMS SERVICE, federal defendant USA of remailing of defendant's motion for enlargement of time, filed 02/16/96 (JMF) (Entered: 03/13/1996)
03/26/1996	15	MOTION filed by federal defendant U.S. CUSTOMS SERVICE, federal defendant USA to extend time to 03/29/96 to answer complaint [1-1] (JMF) (Entered: 03/28/1996)
03/27/1996	14	ORDER by Judge James Robertson : extending time to 3/29/96 for defendants to file their response to plaintiff's complaint. (N) (jeb) (Entered: 03/27/1996)
03/29/1996	16	ANSWER TO COMPLAINT [1-1] by federal defendant U.S. CUSTOMS SERVICE, federal defendant USA . (JMF) (Entered: 04/02/1996)

04/08/1996	17	MOTION filed by plaintiff KAMAL K. PATEL for order permitting plaintiff to participate in any conferences by telephone (JMF) (Entered: 04/10/1996)
04/10/1996	18	ORDER by Judge James Robertson: directing that if the defendant intends to file a dispositive motion, it shall do so within 10 days of this date, or such further time as the court may allow upon proper written motion. (N) (jeb) (Entered: 04/11/1996)
04/22/1996	19	MOTION filed by federal defendant U.S. CUSTOMS SERVICE, federal defendant USA to extend time to 5/14/96 to file its dispositive motion (lkn) (Entered: 04/23/1996)
04/25/1996	20	ORDER by Judge James Robertson : granting motion to extend time to 5/14/96 to file its dispositive motion [19-1] by USA, U.S. CUSTOMS SERVICE dispositive motions due by 5/14/96 ; (N) (jeb) (Entered: 04/25/1996)
04/30/1996	21	MOTION filed by plaintiff KAMAL K. PATEL for funds to conduct depositions (JMF) (Entered: 05/01/1996)
04/30/1996	22	MOTION filed by plaintiff KAMAL K. PATEL for order requiring the defendants to participate in a FRCP 26 (f) discovery conference , or alternatively for order permitting immediate discovery (JMF) Modified on 05/01/1996 (Entered: 05/01/1996)
04/30/1996	23	MOTION filed by plaintiff KAMAL K. PATEL to strike portions of defendants' answer [16-1] (JMF) (Entered: 05/01/1996)
05/03/1996	24	ORDER by Judge James Robertson: denying motion to strike portions of defendants' answer [16-1] [23-1] by KAMAL K. PATEL; denying motion for order requiring the defendants to participate in a FRCP 26 (f) discovery conference [22-1] by KAMAL K. PATEL; denying motion for order permitting immediate discovery [22-2] by KAMAL K. PATEL; denying motion for funds to conduct depositions [21-1] by KAMAL K. PATEL; denying said motion without prejudice to motions plaintiff may file after the court's decision on the government's anticipated dispositive motion, which is due 5/14/96. (N) (jeb) Modified on 05/16/1996 (Entered: 05/03/1996)
05/14/1996	25	MOTION filed by federal defendant U.S. CUSTOMS SERVICE, federal defendant USA to extend time to 5/16/96 to file its dispositive motion (JMF) (Entered: 05/15/1996)
05/16/1996	26	ORDER by Judge James Robertson : granting motion to extend time to 5/16/96 to file its dispositive motion [25-1] by USA, U.S. CUSTOMS SERVICE dispositive motions due by 5/16/96 ; (N) (jeb) (Entered: 05/16/1996)
05/16/1996	27	MOTION filed by federal defendant U.S. CUSTOMS SERVICE, federal defendant USA for summary judgment ; declarations (1); exhibits (8) (JMF) (Entered: 05/23/1996)
06/03/1996	28	MOTION filed by plaintiff KAMAL K. PATEL to extend time to respond to defendant's dispositive motion (JMF) (Entered: 06/04/1996)
06/10/1996	29	ORDER by Judge James Robertson : granting plaintiff's motion to extend time 7/31/96 to respond to defendant's [28-1] to motion for summary judgment N) (bjl) (Entered: 06/11/1996)
06/10/1996	30	RESPONSE by plaintiff KAMAL K. PATEL in opposition to motion for summary judgment [27-1] by USA, U.S. CUSTOMS SERVICE . (adc) (Entered: 06/11/1996)
06/10/1996	31	MOTION filed by plaintiff KAMAL K. PATEL for leave to conduct limited discovery. (adc) (Entered: 06/11/1996)
06/10/1996	32	MOTION filed by federal defendant U.S. CUSTOMS SERVICE, federal defendant USA for protective order (adc) (Entered: 06/11/1996)
06/10/1996	33	MOTION filed by federal defendant U.S. CUSTOMS SERVICE, federal defendant USA to extend time to 7/2/96 within which to reply to plaintiff's opposition to defendants' motion for summary judgment. (adc) (Entered: 06/11/1996)
06/26/1996	34	ORDER by Judge James Robertson : granting motion to extend time to 7/2/96 within which to reply to plaintiff's opposition to defendants' motion for summary judgment. [33-1] by USA, U.S. CUSTOMS SERVICE (N) (bjl) (Entered: 06/27/1996)

06/26/1996	35	ORDER by Judge James Robertson: granting motion for protective order [32-1] by USA, U.S. CUSTOMS SERVICE; directing that no discovery (including interrogatories, document requests, depositions, and requests for admissions) shall be conducted in this case until further order of this Court. (N) (jeb) (Entered: 07/01/1996)
07/01/1996	36	RESPONSE by plaintiff KAMAL K. PATEL to defendant's motion for protective order (JMF) (Entered: 07/01/1996)
07/02/1996	37	MOTION filed by federal defendant U.S. CUSTOMS SERVICE, federal defendant USA to extend time to 7/18/96 to reply to plaintiff's opposition to defendant's motion for summary judgment (JMF) (Entered: 07/03/1996)
07/08/1996	38	ORDER by Judge James Robertson : granting motion to extend time to 7/18/96 to reply to plaintiff's opposition to defendant's motion for summary judgment [37-1] by USA, U.S. CUSTOMS SERVICE (N) (jeb) (Entered: 07/08/1996)
07/08/1996	39	RESPONSE by plaintiff KAMAL K. PATEL to defendant's motion for protective order; (fiat) ROBERTSON, J. (JMF) (Entered: 07/09/1996)
07/18/1996	40	MOTION filed by federal defendant U.S. CUSTOMS SERVICE, federal defendant USA to extend time to 7/19/96 to reply to plaintiff's opposition to defendant's motion for summary judgment (JMF) (Entered: 07/19/1996)
07/19/1996	41	REPLY by federal defendant U.S. CUSTOMS SERVICE, federal defendant USA to plaintiff's opposition to motion for summary judgment [27-1]; declarations (1) (JMF) (Entered: 07/22/1996)
09/16/1996	42	MOTION (RESUBMISSION) filed by plaintiff KAMAL K. PATEL to conduct limited discovery in light of the defendant's responsive pleading (JMF) (Entered: 09/17/1996)
03/26/1997	43	ORDER by Judge James Robertson : denying without prejudice motion for summary judgment [27-1] by USA, U.S. CUSTOMS SERVICE to refile after the U.S. Customs Service completes the record; defendant U.S. Customs Service to file a Vaughn index with the Court due 4/25/97 (N) (jeb) (Entered: 03/26/1997)
04/25/1997	44	SUBSTITUTION OF COUNSEL for federal defendant U.S. CUSTOMS SERVICE, federal defendant USA , substituting Benjamin R. Barnett for attorney Suzanne Claire Nyland (JMF) (Entered: 04/28/1997)
04/25/1997	45	MOTION filed by federal defendant U.S. CUSTOMS SERVICE, federal defendant USA to extend time to 4/28/97 to file its reponse to the Court's order of March 26, 1997 (JMF) (Entered: 04/28/1997)
04/28/1997	46	RESPONSE by federal defendant U.S. CUSTOMS SERVICE, federal defendant USA to order defendant U.S. Customs Service to file a Vaughn index with the Court due 4/25/97 [43-1], order [43-2] (JMF) (Entered: 04/29/1997)
04/29/1997	47	ORDER by Judge James Robertson : granting motion to extend time to 4/28/97 to file its reponse to the Court's order of March 26, 1997 [45-1] by USA, U.S. CUSTOMS SERVICE (N) (jeb) (Entered: 04/29/1997)
05/08/1997	48	ORDER by Judge James Robertson: directing the plaintiff to file any objection to defendant's statement re: withholding of information due by 6/30/97; directing if plaintiff does not respond, the statement will be deemed sufficient and summary judgment will be granted in favor of defendant. (N) (jeb) (Entered: 05/08/1997)
05/08/1997	49	REPLY by plaintiff KAMAL K. PATEL to defendant's filing of Vaughn Index that it is incomplete (JMF) (Entered: 05/09/1997)
06/11/1997	50	MEMORANDUM OPINION by Judge James Robertson (N) (jeb) (Entered: 06/11/1997)
06/11/1997	51	ORDER by Judge James Robertson :granting summary judgment for defendant; dismissing complaint [1-1] (N) (jeb) (Entered: 06/11/1997)
06/26/1997	52	MOTION filed by plaintiff for reconsideration of order granting summary judgment for defendant [51-2] (JMF) (Entered: 06/27/1997)

07/01/1997	53	ORDER by Judge James Robertson : denying motion for reconsideration of order granting summary judgment for defendant [51-2] [52-1] by KAMAL K. PATEL (N) (gew) (Entered: 07/03/1997)
07/18/1997	54	MOTION (RENEWED) filed by plaintiff KAMAL K. PATEL for reconsideration of order dismissing complaint [1-1] [51-1] ; Attachment (1). (lkn) (Entered: 07/21/1997)
07/25/1997	55	RESPONSE by federal defendant U.S. CUSTOMS SERVICE, federal defendant USA in opposition to motion for reconsideration of order dismissing complaint [1-1] [51-1] [54-1] by KAMAL K. PATEL . (JMF) (Entered: 07/28/1997)
08/05/1997	56	ORDER by Judge James Robertson : denying motion for reconsideration of order dismissing complaint [1-1] [51-1] [54-1] by KAMAL K. PATEL (N) (jeb) (Entered: 08/05/1997)
08/08/1997	57	MOTION filed by plaintiff KAMAL K. PATEL to continue on appeal in forma pauperis (JMF) (Entered: 08/11/1997)
08/08/1997	59	NOTICE OF APPEAL by plaintiff KAMAL K. PATEL. IFP: Copies mailed to Kamal K. Patel and Benjamin R. Barnett. (Submitted to Judge James Robertson). (Buck slip w/ noa to Judge). (JMF) (Entered: 08/14/1997)
08/12/1997	58	ORDER by Judge James Robertson : granting motion for leave to appeal in forma pauperis [57-1] by KAMAL K. PATEL (N) (jeb) (Entered: 08/12/1997)
08/14/1997		TRANSMITTED PRELIMINARY RECORD on appeal [59-1] by KAMAL K. PATEL to U.S. Court of Appeals (JMF) (Entered: 08/14/1997)
08/22/1997		USCA # 97-5197 assigned for appeal [59-1] by KAMAL K. PATEL (JMF) (Entered: 08/25/1997)
08/22/1997		USCA # 97-5197 assigned for appeal [59-1] by KAMAL K. PATEL (JMF) (Entered: 08/25/1997)
01/23/1998	60	CERTIFIED COPY of Order filed in USCA dated 1/22/98, referencing appeal [59-1] , directing initial partial filing fee. USCA # 97-5197 (cjp) (Entered: 01/23/1998)
03/18/1998	61	CERTIFIED COPY of order filed in USCA dated 1/22/98, on appeal [59-1] , affirming the judgment of USDC . USCA # 97-5197 (cjp) (Entered: 03/19/1998)