

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:95-cv-01708-RMU**

NUZZO v. FBI, et al  
Assigned to: Judge Ricardo M. Urbina  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 09/08/1995  
Date Terminated: 10/08/1996  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**SAMUEL ANDREW NUZZO**  
*JR.*

represented by **SAMUEL ANDREW NUZZO**  
R48818-080  
OXFORD FEDERAL CORRECTIONAL  
INSTITUTION  
P.O. Box 1000  
Oxford, WI 53952-1000  
PRO SE

V.

**Defendant**

**FEDERAL BUREAU OF  
INVESTIGATION**

represented by **Scott Allan Hodes**  
SCOTT A. HODES, ATTORNEY AT  
LAW  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**BUREAU OF ALCOHOL, TOBACCO,  
FIREARMS, AND EXPLOSIVES**  
*Department of The Treasury*

represented by **Scott Allan Hodes**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**EXECUTIVE OFFICE FOR UNITED  
STATES ATTORNEY**  
*United States Department of Justice*

represented by **Scott Allan Hodes**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**CRIMINAL DIVISION OF THE  
DEPARTMENT OF JUSTICE**

represented by **Scott Allan Hodes**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**INTERNAL REVENUE SERVICE**  
*Department of The Treasury*

represented by **Alan J.J. Swirski**  
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& FLOM LLP  
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**ATTORNEY TO BE NOTICED**

**Scott Allan Hodes**  
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**LEAD ATTORNEY**  
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**Defendant****US MARSHAL SERVICE**

represented by **Scott Allan Hodes**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
09/08/1995	1	COMPLAINT filed by plaintiff SAMUEL ANDREW NUZZO (bjsp) (Entered: 09/13/1995)
09/08/1995		SUMMONS (8) issued to federal party(s) defendant FBI, defendant BUREAU OF ALCOHOL, federal defendant EXECUTIVE OFFICE/U.S, federal defendant CRIMINAL DIV./DOJ, federal defendant IRS, federal defendant U.S. MARSHALS , and non-parties: U.S. Attorney and U.S. Attorney General. (bjsp) (Entered: 09/13/1995)
09/08/1995	2	APPLICATION by plaintiff SAMUEL ANDREW NUZZO to proceed in forma pauperis (bjsp) (Entered: 09/13/1995)
09/08/1995		ORDER by Judge James Robertson granting motion to proceed in forma pauperis [2-1] by SAMUEL ANDREW NUZZO (fiat) (N) (bjsp) (Entered: 09/13/1995)
09/13/1995	3	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 9/12/95 upon federal defendant BUREAU OF ALCOHOL (bjsp) (Entered: 09/14/1995)
09/19/1995	4	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 9/12/95 (bjsp) (Entered: 09/20/1995)
09/20/1995	5	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 9/15/95 upon federal defendant CRIMINAL DIV./DOJ (bjsp) (Entered: 09/21/1995)
09/20/1995	6	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 9/15/95 (bjsp) (Entered: 09/21/1995)
09/20/1995	7	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 9/15/95 (bjsp) (Entered: 09/21/1995)
09/20/1995	8	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 9/15/95 upon federal defendant IRS (bjsp) (Entered: 09/21/1995)
09/20/1995	9	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 9/15/95 upon federal defendant FBI (bjsp) (Entered: 09/21/1995)
09/28/1995	10	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 9/15/95 upon federal defendant U.S. MARSHALS (bjsp) (Entered: 09/29/1995)
10/12/1995	11	ANSWER TO COMPLAINT [1-1] by federal defendants to counts I, II, III, IV and VI. (tw) (Entered: 10/13/1995)
10/12/1995		MAILED CJRA brochure, Meet and Confer list, and Notice regarding dismissal to plaintiff SAMUEL ANDREW NUZZO . (tw) (Entered: 10/13/1995)
02/13/1996	12	MOTION filed by plaintiff SAMUEL ANDREW NUZZO for partial summary judgment in favor of plaintiff against defendants ; affidavits (1); attachments (bjsp)

		(Entered: 02/14/1996)
02/28/1996	13	MOTION filed by federal defendant FBI, federal defendant BATF, federal defendant EXEC. OFFICE/US ATTY, federal defendant CRIMINAL DIV./DOJ, federal defendant IRS, federal defendant U.S. MARSHALS to extend time to 2/28/96 within which to file their opposition to plaintiff's motion for partial summary judgment EXHIBIT (defendants' opposition ) (bjsp) (Entered: 02/29/1996)
03/01/1996	14	MOTION filed by federal defendant IRS to extend time to 3/11/96 within which to file their opposition to plaintiff's motion for partial summary judgment (bjsp) (Entered: 03/04/1996)
03/01/1996	15	ANSWER TO COMPLAINT [1-1] by federal defendant IRS . (bjsp) (Entered: 03/04/1996)
03/05/1996	16	ORDER by Judge Ricardo M. Urbina : granting motion to extend time to 3/11/96 within which to file their opposition to plaintiff's motion for partial summary judgment [14-1] by IRS response to dispositive motions due by 3/11/96 ; (N) (jwd) (Entered: 03/05/1996)
03/05/1996	17	ORDER by Judge Ricardo M. Urbina : granting motion to extend time to 2/28/96 within which to file their opposition to plaintiff's motion for partial summary judgment [13-1] by federal defendantsssss (N) (jwd) (Entered: 03/05/1996)
03/05/1996	20	RESPONSE by federal defendants in opposition to plaintiff's motion for partial summary judgment [12-1]. (tw) (Entered: 03/20/1996)
03/08/1996	18	MOTION filed by federal defendant IRS to extend time to 4/25/96 within which to file their opposition to plaintiff's motionfor partial summary judgment (bjsp) (Entered: 03/11/1996)
03/13/1996	19	MOTION filed by plaintiff, federal defendant to stay proceedings ; attachments (3); affidavit (1); exhibits (21) (tw) (Entered: 03/14/1996)
03/14/1996	21	REPLY by plaintiff SAMUEL ANDREW NUZZO to defendants opposition [12-1] (tw) (Entered: 03/20/1996)
03/27/1996	22	ORDER by Judge Ricardo M. Urbina : granting motion to extend time to 4/25/96 within which to file their opposition to plaintiff's motion for partial summary judgment [18-1] by IRS response to motion for summary judgment due 4/25/96 ; (N) (jwd) Modified on 08/12/1996 (Entered: 03/28/1996)
04/25/1996	23	MOTION filed by federal defendant IRS for summary judgment ; exhibits (21) ; declarations (6) (bjsp) (Entered: 04/26/1996)
04/25/1996	24	MEMORANDUM by federal defendant IRS in opposition to motion for partial summary judgment in favor of plaintiff against defendants [12-1] by SAMUEL ANDREW NUZZO (bjsp) (Entered: 04/26/1996)
04/25/1996	25	MEMORANDUM by federal defendant IRS in support of their motion for summary judgment [23-1] by IRS (bjsp) (Entered: 04/26/1996)
05/01/1996	26	MOTION filed by federal defendants' for partial summary judgment ; attachments (3) ; exhibits (15); attachments (3) (bjsp) (Entered: 05/02/1996)
05/06/1996	27	MOTION filed by federal defendant IRS to substitute signature pages of the declarations of Lester D. Langell, Eduardo M. Garza, and Ruth A. Baker, filed on 4/25/96 along with IRS'S motion for summary judgment, with the new signature pages attached to this motion ; exhibits (3) (bjsp) Modified on 05/07/1996 (Entered: 05/07/1996)
05/08/1996	28	ORDER by Judge Ricardo M. Urbina : granting motion to substitute signature pages of the declarations of Lester D. Langell, Eduardo M. Garza, and Ruth A. Baker, filed on 4/25/96 along with IRS'S motion for summary judgment, with the new signature pages attached to this motion [27-1] by IRS (N) (jwd) Modified on 05/09/1996 (Entered: 05/09/1996)
05/24/1996	29	ORDER by Judge Ricardo M. Urbina: directing the appointment of counsel is not warranted; plaintiff may have to and including 7/12/96, within which to file responses

		to pending motions for summary judgment and Federal Bureau of Investigations's motion to stay proceedings; if plaintiff fails to file a response or opposition to defendants' motion by this deadline, the court may treat the motion as conceded and enter judgment in favor of defendant; in the event the court concludes that defendants' motion must be denied and that this case must move forward to discovery, the court will again consider whether appointment of counsel for plaintiff is appropriate. (N) (jwd) (Entered: 05/28/1996)
07/08/1996	30	MOTION filed by plaintiff SAMUEL ANDREW NUZZO to stay the proceedings in this case or to hold this case in abeyance until such time that he again retains the assistance of counsel, either jailhouse counsel or via the University of Wisconsin Legal Assistance Program to which he has made application (bjsp) (Entered: 07/09/1996)
07/17/1996	31	RESPONSE (REPLY) by federal defendant FBI, federal defendant BATF, federal defendant EXEC. OFFICE/US ATTY, federal defendant CRIMINAL DIV./DOJ, federal defendant IRS, federal defendant U.S. MARSHALS to motion to stay the proceedings in this case [30-1] and motion to hold this case in abeyance until such time that he again retains the assistance of counsel, either jailhouse counsel or via the University of Wisconsin Legal Assistance Program to which he has made application [30-2] by SAMUEL ANDREW NUZZO (bjsp) (Entered: 07/18/1996)
07/22/1996	32	ORDER by Judge Ricardo M. Urbina : granting motion to stay the proceedings in this case [30-1] by SAMUEL ANDREW NUZZO, Case is stayed until 8/3/96, (N) (lpp) (Entered: 07/22/1996)
10/04/1996	33	MOTION filed by plaintiff SAMUEL ANDREW NUZZO for appointment of counsel ; exhibits (2) (tw) (Entered: 10/07/1996)
10/08/1996	34	ORDER by Judge Ricardo M. Urbina : granting motion for summary judgment [23-1] by IRS, denying motion for partial summary judgment in favor of plaintiff against defendants [12-1] by SAMUEL ANDREW NUZZO; dismissing case against defendant IRA; granting unopposed motion for summary judgment filed by defendants ATF, USMS, and Criminal Division; dismissing action with prejudice against defendants ATF, USMS, and Criminal Division; directing that the Executive Office of the United States Attorney shall file a status report on 11/1/96, with regard to plaintiff's FOIA applications; granting unopposed motion by defendant FBI to stay proceedings until 11/1/99; plaintiff shall inform the Court whether he desires to continue this action within 30 thirty (30) days after 11/1/99; if plaintiff fails to inform the Court that he wishes to proceed with this litigation by and including 12/1/99, this case shall be dismissed without prejudice for failure to prosecute (N) (jwd) Modified on 02/12/1997 (Entered: 10/08/1996)
10/10/1996	35	RESPONSE (OPPOSITIONS) by federal defendant FBI, federal defendant BATF, federal defendant EXEC. OFFICE/US ATTY, federal defendant CRIMINAL DIV./DOJ, federal defendant IRS, federal defendant U.S. MARSHALS to motion for appointment of counsel [33-1] by SAMUEL ANDREW NUZZO (bjsp) (Entered: 10/11/1996)
10/17/1996	36	ORDER by Judge Ricardo M. Urbina : denying motion for appointment of counsel [33-1] by SAMUEL ANDREW NUZZO (N) (jwd) (Entered: 10/18/1996)
10/30/1996	37	REPORT TO THE COURT by federal defendant FBI, federal defendant BATF, federal defendant EXEC. OFFICE/US ATTY, federal defendant CRIMINAL DIV./DOJ, federal defendant IRS, federal defendant U.S. MARSHALS (bjsp) (Entered: 10/31/1996)
12/02/1996	38	REPORT TO THE COURT by federal defendant FBI, federal defendant BATF, federal defendant EXEC. OFFICE/US ATTY, federal defendant CRIMINAL DIV./DOJ, federal defendant IRS, federal defendant U.S. MARSHALS RE: the concerns plaintiff's request for access to certain records maintained by the Executive Office for the U.S. Attorneys pertaining to himself (bjsp) (Entered: 12/03/1996)
01/29/1997	39	MOTION filed by federal defendant EXEC. OFFICE/US ATTY for summary judgment ; exhibits (11) ; attachments (2) (bjsp) (Entered: 01/30/1997)
02/11/1997	40	ORDER by Judge Ricardo M. Urbina: granting plaintiff to and including 2/28/97 within which to respond to defendant's motion for summary judgment; if plaintiff fails to file

		a response or opposition to the defendants' motion by this deadline, the court may treat the motion as conceded and enter judgment in favor of the defendant Executive Office for United States Attorney (N) (jwd) Modified on 03/05/1997 (Entered: 02/12/1997)
03/05/1997	41	ORDER by Judge Ricardo M. Urbina : granting motion for summary judgment [39-1] by EXEC. OFFICE/US ATTY (N) (jwd) (Entered: 03/05/1997)
12/16/1999	42	ORDER by Judge Ricardo M. Urbina: dismissing case without prejudice. (N) (jwd) (Entered: 12/16/1999)