

**U.S. District Court**  
**District of Columbia (Washington, DC)**  
**CIVIL DOCKET FOR CASE #: 1:94-cv-02306-CRR**

BUTLER v. U.S. AIR FORCE, et al  
Assigned to: Judge Charles R. Richey  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 10/25/1994  
Date Terminated: 04/01/1996  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****THOMAS BUTLER**

represented by **THOMAS BUTLER**  
10000 Red Bird Terrace  
Upper Marlboro, MD 20772-4737  
(301) 856-6421  
Fax: AREA CODE (301)  
PRO SE

V.

**Defendant**

**UNITED STATES AIR FORCE**  
*Department*

represented by **Wyneva Johnson**  
U.S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
Criminal Division -- Felony Major  
Crimes  
555 Fourth Street, NW  
Washington, DC 20530  
(202) 252-2518  
Fax: (202) 252-2599  
Email: [wyneva.johnson@usdoj.gov](mailto:wyneva.johnson@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**AIR FORCE OFFICE SPECIAL  
INVESTIGATIONS**

represented by **Wyneva Johnson**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
10/25/1994	1	COMPLAINT filed by plaintiff THOMAS BUTLER (lpp) (Entered: 10/27/1994)
10/25/1994		SUMMONS (4) issued to federal party(s) defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE , and non-parties: U.S. Attorney and U.S. Attorney General. (lpp) (Entered: 10/27/1994)
10/27/1994		MAILED CJRA brochure, Meet and Confer list, and Notice regarding dismissal to plaintiff THOMAS BUTLER . (lpp) (Entered: 10/27/1994)
10/31/1994	2	ORDER by Judge Charles R. Richey : directing the defendants to show cause why complaint [1-1] by THOMAS BUTLER should be dismissed , and response to show cause due 4:00 11/29/94 ; and plaintiff to respond to defendant's response to the Court's show cause order due by 4:00 12/19/94 (N) (jeb) (Entered: 11/01/1994)
11/04/1994		SHOW CAUSE (1) issued to the U.S. Attorney . (lpp) (Entered: 11/07/1994)
11/08/1994	3	RETURN OF SERVICE/AFFIDAVIT executed upon U. S. Attorney on 10/26/94, Attachment: Return Receipt (lpp) (Entered: 11/09/1994)

11/08/1994	4	RETURN OF SERVICE/AFFIDAVIT executed upon U. S. Attorney General on 10/28/94, Attachment: (Return Receipt) (lpp) (Entered: 11/09/1994)
11/10/1994	5	RETURN OF SERVICE/AFFIDAVIT executed upon U. S. Attorney on 11/8/94 (lpp) (Entered: 11/14/1994)
11/25/1994	6	ATTORNEY APPEARANCE for defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE by Wyneva Johnson (lpp) (Entered: 11/28/1994)
11/25/1994	7	ANSWER TO COMPLAINT [1-1] by defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE . (lpp) (Entered: 11/28/1994)
11/29/1994	8	RESPONSE by defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE to order directing the defendants to show cause why complaint [1-1] by THOMAS BUTLER should be dismissed [2-1] (lpp) (Entered: 11/30/1994)
12/05/1994	9	RESPONSE (OPPOSITIONS) by plaintiff THOMAS BUTLER to response order [8-1] by AIR FORCE OFFICE, U.S. AIR FORCE (lpp) (Entered: 12/06/1994)
12/20/1994	10	Text not available. (Entered: 12/22/1994)
12/22/1994	11	STATUS REPORT by defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE (lpp) (Entered: 12/29/1994)
01/04/1995	12	ORDER by Judge Charles R. Richey : defendant's motion for summary judgment due 4:00 1/6/95; response to motion for summary judgment due 4:00 1/20/95; reply to motion for summary judgment due 1/25/95 (N) (dbw) (Entered: 01/05/1995)
01/06/1995	14	MOTION filed by defendant U.S. AIR FORCE to extend time to 1/20/95, to file its motion tod dismiss (lpp) (Entered: 01/11/1995)
01/11/1995	13	ORDER by Judge Charles R. Richey : granting, in part, defendant's motion for enlargement of time ; defendants motion to dismiss or for summary judgment due 4:00 1/13/95; opposition due 4:00 1/27/95; reply due 2/13/95 ; directing Clerk of Court to telephone contents of this Order to parties (N) (dbw) (Entered: 01/11/1995)
01/13/1995	15	MOTION filed by defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE to dismiss this case , or, in the alternative for summary judgment, Appearance entered by attorney Wyneva Johnson , Declaration (1), Exhibit (7) (lpp) (Entered: 01/18/1995)
01/27/1995	16	RESPONSE by plaintiff THOMAS BUTLER in opposition to motion to dismiss this case [15-1] by AIR FORCE OFFICE, U.S. AIR FORCE, motion for summary judgment, Appearance entered by attorney Wyneva Johnson [15-2] by AIR FORCE OFFICE, U.S. AIR FORCE, Exhibits (12) . (lpp) (Entered: 01/31/1995)
02/06/1995	17	MOTION filed by plaintiff THOMAS BUTLER under Vaughn v Rosen to Require Detailed justification, itemization and indexing (lpp) (Entered: 02/07/1995)
02/13/1995	18	REPLY by defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE to response to motion to dismiss this case [15-1] by AIR FORCE OFFICE, U.S. AIR FORCE, motion for summary judgment, Appearance entered by attorney Wyneva Johnson [15-2] by AIR FORCE OFFICE, U.S. AIR FORCE (lpp) (Entered: 02/14/1995)
03/09/1995	19	ORDER by Judge Charles R. Richey : defendants shall show cause or otherwise respond to plaintiff's allegation by 3/20/95 4:00 p.m. ; response to show cause due 4:00 3/20/95; plaintiff's to respond to defendants' response by 3/27/95 4:00; directing Clerk of Court to serve plaintiff and defendants with this Order by certified mail, receipts to be placed in jacket for this case; no extension will be granted to defendants for the purpose of complying with this Order (N) [certified mail receipts numbered P606125172, P060125173] (dbw) (Entered: 03/10/1995)
03/14/1995		RETURN RECEIPT CERTIFIED MAIL CARDS number P060-125-172, and P060-125-173 placed in case jacket (dbw) (Entered: 03/17/1995)
03/20/1995	20	RESPONSE by defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE to order defendants shall show cause or otherwise respond to plaintiff's allegation by 3/20/95 4:00 p.m. [19-1], order response to show cause due 4:00 3/20/95; [19-2], order directing Clerk of Court to serve plaintiff and defendants with this Order by certified mail, receipts to be placed in jacket for this case; no extension will be granted to defendants for the purpose of complying with this Order [19-3], order [19-4],

		Declarations (1), Exhibits (6) (lpp) (Entered: 03/22/1995)
03/20/1995	21	RESPONSE by defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE in opposition to motion under Vaughn v Rosen to Require Detailed justification, itemization and indexing [17-1] by THOMAS BUTLER . (lpp) (Entered: 03/22/1995)
03/21/1995	22	ERRATA by defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE: Response to the Court's 3/9/95 order and opposition to plaintiff's motion under Vaughn v. Rosen, Attachment (1) (lpp) (Entered: 03/22/1995)
03/28/1995	23	REPLY by plaintiff THOMAS BUTLER to response to response order [20-1] by AIR FORCE OFFICE, U.S. AIR FORCE, Exhibits (20) . (lpp) (Entered: 03/29/1995)
03/28/1995	24	REPLY by plaintiff THOMAS BUTLER to response to motion under Vaughn v Rosen to Require Detailed justification, itemization and indexing [17-1] by THOMAS BUTLER, Exhibit (20) (lpp) (Entered: 03/29/1995)
05/31/1995	25	ORDER by Judge Charles R. Richey : denying motion to dismiss this case [15-1] by AIR FORCE OFFICE, U.S. AIR FORCE; granting motion for summary judgment with regard to defendants' assertion of 5 U.S.C. 552a (j)(2), 5 U.S.C. 552b (7)(D) and 5 U.S.C. 552b (7)(A) [15-2], denying defendant's motion for summary judgment, without prejudice, with regard to May 12, 1994 request for internal inquiry reports, spot reports, security determination statements, and other files, notes, or other documents formally or informally maintained regarding the plaintiff; defendants shall conduct a proper search for the items listed in preceding paragraph, said search to be completed and documents disclosed or exemptions claimed by 4:00 6/16/95; denying motion under Vaughn v Rosen to Require Detailed justification, itemization and indexing [17-1] by THOMAS BUTLER (N) (dbw) (Entered: 05/31/1995)
05/31/1995	26	MEMORANDUM OPINION by Judge Charles R. Richey (N) (dbw) (Entered: 05/31/1995)
06/16/1995	27	ORDER by Judge Charles R. Richey : granting defendant's motion for enlargement of time; reply to Court's 5/31/95 Order due by 6/27/95 (N) (dbw) (Entered: 06/19/1995)
06/16/1995	28	MOTION filed by defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE to extend time to 6/27/95, to file its reply to the Court's Order dated 5/31/95 (lpp) (Entered: 06/19/1995)
06/21/1995	29	RESPONSE (OPPOSITIONS) by plaintiff THOMAS BUTLER to motion to extend time to 6/27/95, to file its reply to the Court's Order dated 5/31/95 [28-1] by AIR FORCE OFFICE, U.S. AIR FORCE (lpp) (Entered: 06/22/1995)
06/27/1995	30	RESPONSE by defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE to order of 05/31/95 [25-2]; attachments (2). (jeb) Modified on 06/28/1995 (Entered: 06/28/1995)
07/03/1995	31	REPLY by plaintiff THOMAS BUTLER to response to order of 5/31/95 [30-1] by AIR FORCE OFFICE, U.S. AIR FORCE Exhibits (5). (jeb) (Entered: 07/05/1995)
07/11/1995	32	RESPONSE (OPPOSITIONS) by plaintiff THOMAS BUTLER to defendant's request for extension of time to respond to plaintiff's reply to defendant's response to the court's May 31, 1995 order. (JMF) (Entered: 07/12/1995)
07/12/1995	33	MOTION filed by defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE to extend time to 7/19/95 to file its response to plaintiff's reply to defendants' response to the Court's 5/31/95 order (cjp) (Entered: 07/13/1995)
07/14/1995	34	SUPPLEMENTAL MEMORANDUM by plaintiff THOMAS BUTLER in opposition to motion to extend time to 7/19/95 to file its response to plaintiff's reply to defendants' response to the Court's 5/31/95 order [33-1] by AIR FORCE OFFICE, U.S. AIR FORCE; exhibits (1). (JMF) Modified on 07/17/1995 (Entered: 07/17/1995)
07/18/1995	35	ORDER by Judge Charles R. Richey : granting motion to extend time to 7/19/95 to file its response to plaintiff's reply to defendants' response to the Court's 5/31/95 order [33-1] by AIR FORCE OFFICE, U.S. AIR FORCE; response to plaintiff's reply due by 7/19/95 (N) (dbw) (Entered: 07/19/1995)

07/19/1995	36	SUR-REPLY by defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE; Exhibits(3) (ted) (Entered: 07/20/1995)
07/24/1995	37	RESPONSE by plaintiff THOMAS BUTLER to defendants' 7/19/95 surreply [36-1] RE: dispositive motions ; exhibits (2) (tw) Modified on 07/25/1995 (Entered: 07/25/1995)
07/27/1995	38	ORDER by Judge Charles R. Richey : defendant's shall show cause or otherwise respond to plaintiff's allegations, and all of the allegations set forth in in 7/24/95 response by 4:00 8/4/95 and serve upon plaintiff a copy of its response; plaintiff's opposition to defendants' response due 8/14/95 4:00; directing Clerk of Court to telephone parties and inform them of contents of this Order; no extension will be granted to defendants for the purpose of complying with this Order (N) (dbw) (Entered: 07/31/1995)
08/04/1995	39	RESPONSE by defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE to Court's 7/26/95 order to respond to allegations [38-3]; declarations (4). (JMF) Modified on 08/08/1995 (Entered: 08/07/1995)
08/14/1995	40	REPLY by plaintiff THOMAS BUTLER to defendant's response to the court's July 26, 1995 order [39-1]; exhibits (13). (JMF) (Entered: 08/15/1995)
08/18/1995	41	ERRATA to plaintiff's reply to defendants' response to the court's July 26, 1995 order by plaintiff THOMAS BUTLER (JMF) (Entered: 08/22/1995)
08/18/1995	42	REPLY by plaintiff THOMAS BUTLER to defendants' response to the court's order [39-1] (JMF) (Entered: 08/22/1995)
09/22/1995	43	MEMORANDUM OPINION by Judge Charles R. Richey (N) (dbw) (Entered: 09/22/1995)
09/22/1995	44	ORDER by Judge Charles R. Richey : denying defendant's motion for summary judgment ; defendant's shall prepare and file Vaughn v. Rosen Index and respond to specific allegations set forth in plaintiff's 8/14/95 reply by 4:00 10/10/95 ; plaintiff's opposition thereto due 4:00 10/20/95 (N) (dbw) (Entered: 09/22/1995)
10/10/1995	45	RESPONSE by defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE to Court's September 22, 1995 order [44-3]; exhibits (5) (JMF) (Entered: 10/12/1995)
10/20/1995	46	REPLY by plaintiff THOMAS BUTLER to defendants' response to the Court's September 21, 1995 order [45-1] by AIR FORCE OFFICE, U.S. AIR FORCE; exhibits (6) . (JMF) (Entered: 10/23/1995)
03/08/1996	47	ORDER by Judge Charles R. Richey : directing parties to meet and confer, in person, by 4:00 3/13/96, and thereafter file a joint statement of material facts not in dispute by 4:00 3/15/96 ; additional declarations and briefs as to all remaining issues in the case due by 4:00 3/20/96; any replies thereto due by 4:00 3/27/96 with a courtesy copy of each to chambers (N) (dbw) (Entered: 03/08/1996)
03/15/1996	48	RESPONSE by defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE to order directing parties to meet and confer, in person, by 4:00 3/13/96, and thereafter file a joint statement of material facts not in dispute by 4:00 3/15/96 [47-1], order [47-3] (JMF) (Entered: 03/18/1996)
03/15/1996	49	MOTION filed by defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE to extend time to 3/15/96 to file its joint statement of material facts a (JMF) (Entered: 03/18/1996)
03/18/1996	50	ORDER by Judge Charles R. Richey : granting motion to extend time to 3/15/96 to file its joint statement of material facts [49-1] by AIR FORCE OFFICE, U.S. AIR FORCE; joint statement of material facts due by 3/15/96 . NUNC PRO TUNC TO 3/15/96 (N) (dbw) (Entered: 03/18/1996)
03/20/1996	51	RESPONSE by defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE to order dated March 08, 1996 [47-3] (JMF) (Entered: 03/21/1996)
03/21/1996	52	ERRATA by plaintiff THOMAS BUTLER to statement of issues to their motion for sumamry judgment (JMF) Modified on 03/28/1996 (Entered: 03/22/1996)

03/21/1996	53	MOTION filed by plaintiff THOMAS BUTLER to extend time to 3/20/96 to file pleading late (JMF) (Entered: 03/22/1996)
03/21/1996	54	RESPONSE by plaintiff THOMAS BUTLER to order dated of March 07, 1996 [47-3] (JMF) (Entered: 03/22/1996)
03/25/1996	55	REPLY by plaintiff THOMAS BUTLER to defendants' response to Court's Order [47-3] of March 7, 1996; Exhibits (9) (dbw) (Entered: 03/26/1996)
03/27/1996	56	MOTION filed by defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE to extend time to 3/27/96 to reply to plaintiff's statement of issues (JMF) (Entered: 03/28/1996)
03/27/1996	57	REPLY by defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE to plaintiff's statement of issues [54-1] by THOMAS BUTLER (JMF) (Entered: 03/28/1996)
04/01/1996	58	MEMORANDUM OPINION by Judge Charles R. Richey (N) (dbw) (Entered: 04/01/1996)
04/01/1996	59	ORDER by Judge Charles R. Richey : granting defendants' motion for summary judgment ; dismissing case from the dockets of this Court (N) (dbw) (Entered: 04/01/1996)
04/05/1996	62	NOTICE OF APPEAL by plaintiff THOMAS BUTLER from order defendants shall conduct a proper search for the items listed in preceding paragraph, said search to be completed and documents disclosed or exemptions claimed by 4:00 6/16/95; [25-1], order [25-2], order granting defendants' motion for summary judgment [59-1], order dismissing case from the dockets of this Court [59-2], order [59-3] , entered on: May 31, 1995 and April 01, 1996. Copies mailed to Thomas Butler and Wyneva Johnson. \$5.00 filing fee and \$100.00 docketing fee paid. (JMF) (Entered: 04/11/1996)
04/08/1996	60	MOTION filed by plaintiff THOMAS BUTLER to stay of appeal (JMF) (Entered: 04/10/1996)
04/08/1996	61	MOTION filed by plaintiff THOMAS BUTLER for reconsideration of this court's partial and final orders of summary judgment and case dismissal [59-3] ; exhibits (2) (JMF) (Entered: 04/10/1996)
04/11/1996	63	ERRATA by plaintiff THOMAS BUTLER to motion for reconsideration (JMF) (Entered: 04/12/1996)
04/16/1996	64	ORDER by Judge Charles R. Richey : denying motion to stay of appeal [60-1] by THOMAS BUTLER; defendants shall show cause or otherwise respond to allegations set forth in plaintiff's 4/8/96 motion for reconsideration due 4:00 4/22/96 (N) (dbw) (Entered: 04/18/1996)
04/22/1996	65	MOTION filed by defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE to extend time to 4/23/96 for Defendant to file its Response to the Court's April 16, 1996, Order (lkn) (Entered: 04/23/1996)
04/23/1996	66	RESPONSE by defendant U.S. AIR FORCE, defendant AIR FORCE OFFICE to motion for reconsideration of this court's partial and final orders of summary judgment and case dismissal [59-3] [61-1] by THOMAS BUTLER (JMF) (Entered: 04/24/1996)
04/24/1996		USCA # 96-5111 assigned for appeal [62-1] by THOMAS BUTLER (lkn) (Entered: 04/25/1996)
04/26/1996	67	RESPONSE by plaintiff THOMAS BUTLER in opposition to motion to extend time to 4/23/96 for Defendant to file its Response to the Court's April 16, 1996, Order [65-1] by AIR FORCE OFFICE, U.S. AIR FORCE . (JMF) (Entered: 04/29/1996)
06/10/1996	68	ORDER by Judge Charles R. Richey : denying motion for reconsideration of this court's partial and final orders of summary judgment and case dismissal [59-3] [61-1] by THOMAS BUTLER; dismissing all other pending motions as moot (N) (dbw) (Entered: 06/12/1996)
07/16/1997	69	CERTIFIED COPY of judgment filed in USCA dated 5/6/97, on appeal [62-1] , affirming the judgment of USDC . USCA # 96-5111 (cjp) (Entered: 07/16/1997)