

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:94-cv-00686-RMU**

BAYLESS v. U.S. PAROLE COMM., et al
Assigned to: Judge Ricardo M. Urbina
Demand: \$0
Cause: 05:552 Right to Privacy Act

Date Filed: 03/30/1994
Date Terminated: 10/11/1994
Jury Demand: Plaintiff
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

JAMES A. BAYLESS

represented by **JAMES A. BAYLESS**
R28679-004
ROCHESTER FEDERAL MEDICAL
CENTER
2100 East Center Street
P.O. Box 4600
Rochester, MN 55903-4600
PRO SE

V.

Defendant

**UNITED STATES PAROLE
COMMISSION**

represented by **William Mark Nebeker**
U.S. ATTORNEY'S OFFICE
Civil Division
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2536
Fax: (202) 514-8780
Email: mark.nebeker@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

FEDERAL BUREAU OF PRISONS

represented by **William Mark Nebeker**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

BARTEE
Parole Board Member, ID.

represented by **William Mark Nebeker**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

MILLS
Parole Board Member, ID.

represented by **William Mark Nebeker**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

JEFF SCHMIDT
Federal Medical Center

represented by **William Mark Nebeker**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

STEVE O'CONNER
Federal Medical Center

represented by **William Mark Nebeker**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

DOUG BRINDLE
Federal Medical Center

represented by **William Mark Nebeker**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

CINDY THESING
Federal Medical Center

represented by **William Mark Nebeker**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/30/1994	1	COMPLAINT filed by plaintiff JAMES A. BAYLESS; jury demand (ab) (Entered: 04/05/1994)
03/30/1994		SUMMONS (10) issued to federal party defendants U.S. PAROLE COMM., BUREAU OF PRISONS, BARTEE, MILLS, JEFF SCHMIDT, STEVE O'CONNER, DOUG BRINDLE, CINDY THESING , and non-parties: U.S. Attorney and U.S. Attorney General. (ab) (Entered: 04/05/1994)
03/30/1994	2	APPLICATION by plaintiff to proceed in forma pauperis (ab) (Entered: 04/05/1994)
03/30/1994		ORDER by Judge Royce C. Lamberth granting motion to proceed in forma pauperis [2-1] by JAMES A. BAYLESS (fiat) (N) (ab) (Entered: 04/05/1994)
03/30/1994	3	FORMAL REQUEST by plaintiff for assistance in the service of summons and complaint (ab) (Entered: 04/05/1994)
04/19/1994	4	RETURN OF SERVICE/AFFIDAVIT executed upon U. S. Attorney General on 4/13/94 (dot) (Entered: 04/20/1994)
04/19/1994	5	RETURN OF SERVICE/AFFIDAVIT executed upon U. S. Attorney on 4/6/94 (dot) (Entered: 04/20/1994)
05/18/1994	6	RETURN OF SERVICE/AFFIDAVIT unexecuted as to defendant MILLS . (dot) (Entered: 05/19/1994)
05/18/1994	7	RETURN OF SERVICE/AFFIDAVIT unexecuted on 5/9/94 as to defendant BARTEE . (dot) (Entered: 05/19/1994)
05/18/1994	8	RETURN OF SERVICE/AFFIDAVIT executed on 5/4/94 upon defendant BUREAU OF PRISONS, via certified mail (unsigned); attachment. (dot) (Entered: 05/19/1994)
05/18/1994	9	RETURN OF SERVICE/AFFIDAVIT executed on 5/3/94 upon defendant USPC, via certified mail; attachment. (dot) (Entered: 05/19/1994)
06/06/1994	10	MOTION filed by defendant to extend time to 7/6/94 to answer complaint [1-1] . Appearance entered for USPC, BUREAU OF PRISONS, BARTEE, MILLS, JEFF SCHMIDT, STEVE O'CONNER, DOUG BRINDLE, CINDY THESING by attorney William Mark Nebeker. (dot) (Entered: 06/07/1994)
06/06/1994	11	ATTORNEY APPEARANCE for defendants by W. Mark Nebeker (dot) (Entered: 06/07/1994)
06/22/1994		SUMMONS REISSUED for defendant BARTEE, defendant MILLS . (dot) (Entered: 06/25/1994)

07/01/1994	12	REASSIGNMENT OF CIVIL CASE from Judge Royce C. Lamberth to Judge Ricardo M. Urbina by direction of the Calendar Committee. Emergency matters will continue to be handled by Judge Royce C. Lamberth until Judge Ricardo M. Urbina takes the oath of office. (N) (dot) (Entered: 07/05/1994)
07/06/1994	13	MOTION filed by defendants to extend time to 7/28/94 to answer complaint [1-1]. (dot) (Entered: 07/11/1994)
07/12/1994	14	ORDER by Judge Royce C. Lamberth : granting motion to extend time to 7/28/94 to answer complaint [1-1]. [13-1] by defendantsssssss (N) (fle) (Entered: 07/12/1994)
07/13/1994	15	ORDER, nunc pro tunc, by Judge Royce C. Lamberth : granting unopposed motion to extend time to 7/6/94 to answer complaint [1-1], [10-1] by defendants (N) (mlp) (Entered: 07/13/1994)
07/18/1994	16	RESPONSE by plaintiff(s) JAMES A. BAYLESS in opposition to defendant's second motion for enlargement of time (mlp) (Entered: 07/19/1994)
07/28/1994	17	MOTION filed by defendant to extend time to 8/30/94 within which to respond to plaintiff's complaint (dbw) (Entered: 07/29/1994)
08/03/1994	18	RETURN OF SERVICE/AFFIDAVIT unexecuted as to defendant BARTEE on 7/14/94 (2nd request). (dot) (Entered: 08/04/1994)
08/03/1994	19	RETURN OF SERVICE/AFFIDAVIT unexecuted as to defendant MILLS on 7/14/94 (2nd request) . (dot) (Entered: 08/04/1994)
08/08/1994	20	REQUEST by plaintiff(s) JAMES A. BAYLESS for preliminary injunction , and for temporary restraining order (dbw) (Entered: 08/10/1994)
08/10/1994	21	RESPONSE by plaintiff(s) JAMES A. BAYLESS in opposition to motion to extend time to 8/30/94 within which to respond to plaintiff's complaint [17-1] by defendants. (dbw) (Entered: 08/10/1994)
08/11/1994		SCHEDULING NOTICE: status hearing set for 9:30 10/5/94 ; (jwd) (Entered: 08/11/1994)
08/11/1994	22	ORDER by Judge Ricardo M. Urbina : granting motion to extend time to 8/30/94 within which to respond to plaintiff's complaint [17-1] by defendants (N) (jwd) (Entered: 08/11/1994)
08/15/1994	23	MOTION filed by defendants to extend time to 9/30/94 within which to respond to plaintiff's request for preliminary injunction and/or temporary restraining order (dbw) (Entered: 08/16/1994)
08/18/1994	24	ORDER by Judge Ricardo M. Urbina : denying as moot motion to extend time to 9/30/94 within which to respond to plaintiff's request for preliminary injunction and/or temporary restraining order [23-1] by defendants, denying motion for preliminary injunction [20-1] by JAMES A. BAYLESS (N) (jwd) (Entered: 08/19/1994)
08/30/1994	25	MOTION filed by defendant to extend time to 9/2/94 within which to respond to complaint (dbw) (Entered: 08/31/1994)
08/31/1994	26	ORDER by Judge Ricardo M. Urbina : granting motion to extend time to 9/2/94 within which to respond to complaint [25-1] by defendants (N) (jwd) (Entered: 08/31/1994)
09/02/1994	27	MOTION filed by defendants to extend time to 9/7/94 to respond to plaintiff's complaint [1-1] (kk) (Entered: 09/07/1994)
09/07/1994	28	MOTION filed by defendant to extend time to 9/8/94 in which to respond to plaintiff's complaint (dbw) (Entered: 09/08/1994)
09/08/1994	29	MOTION filed by defendant to dismiss complaint [1-1] or, in the alternative, for summary judgment ; Exhibits (23) (dbw) (Entered: 09/09/1994)
09/09/1994	30	NOTICE OF FILING by defendants of amended certificate of service. (dbw) (Entered: 09/12/1994)
09/12/1994	31	ORDER by Judge Ricardo M. Urbina : denying as moot motion to extend time to 9/8/94 in which to respond to plaintiff's complaint [28-1] by defendants, denying as

		moot motion to extend time to 9/7/94 to respond to plaintiff's complaint [1-1] [27-1] by defendants (N) (jwd) Modified on 09/12/1994 (Entered: 09/12/1994)
09/12/1994	32	ORDER by Judge Ricardo M. Urbina :directing that plaintiff James Bayless respond to the Defendant's Motion to Dismiss no later than 9/26/94; if plaintiff does not respond,the Court may treat the motion as granted and enter judgment in favor of the defendant (N) (jwd) (Entered: 09/12/1994)
09/12/1994	33	NOTICE OF FILING by defendants of supplemental amended certificate of service. (dbw) (Entered: 09/13/1994)
09/23/1994	34	MOTION filed by plaintiff(s) JAMES A. BAYLESS to extend time to 10/4/94 in which to oppose the defendant's 12(b)1 thru 6 and 56(c) responses (dbw) (Entered: 09/27/1994)
10/03/1994	35	NOTICE OF CORRECTED ADDRESS by William Mark Nebeker representing defendants. New address: Judiciary Center Building, 555 4th Street, N.W., Room 10-830, Washington, D.C. 20001 (202) 514-7230. (dbw) (Entered: 10/04/1994)
10/11/1994	36	ORDER by Judge Ricardo M. Urbina : granting nunc pro tunc motion to extend time to 10/4/94 in which to oppose the defendant's 12(b)1 thru 6 and 56(c) responses [34-1] by JAMES A. BAYLESS, granting motion to dismiss complaint [1-1] [29-1] by defendants, granting motion for summary judgment [29-2] by defendants; dismissing action with prejudice (Signed 10/7/94) (N) (jwd) (Entered: 10/11/1994)
10/11/1994	37	MOTION filed by plaintiff(s) JAMES A. BAYLESS to extend time in which to respond to defendant's motion to dismiss or in the alternative motion for summary judgment (dbw) (Entered: 10/12/1994)
10/20/1994	38	ORDER by Judge Ricardo M. Urbina : striking motion to extend time in which to respond to defendant's motion to dismiss or in the alternative motion for summary judgment [37-1] by JAMES A. BAYLESS (N) (dbw) (Entered: 10/21/1994)
10/21/1994	39	MOTION filed by plaintiff(s) JAMES A. BAYLESS for reconsideration of order [36-1] ; EXHIBITS: MOTION FOR APPOINTMENT OF COUNSEL, TRAVERSE TO DEFENDANT'S MOTION TO DISMISS; MOTION FOR SUMMARY JUDGMENT (dbw) (Entered: 10/24/1994)
10/27/1994	40	ORDER by Judge Ricardo M. Urbina : denying motion for reconsideration of order [36-1] [39-1] by JAMES A. BAYLESS (N) (jwd) (Entered: 10/28/1994)
11/10/1994	41	NOTICE OF APPEAL by plaintiff JAMES A. BAYLESS from order [36-1] entered 10/11/94 and order [40-1] entered 10/28/94; No Fee Paid--IFP; Copy mailed to William Nebeker (kk) (Entered: 11/14/1994)
11/14/1994		TRANSMITTED PRELIMINARY RECORD on appeal [41-1] by plaintiff JAMES A. BAYLESS to U.S. Court of Appeals (kk) (Entered: 11/14/1994)
11/22/1994		USCA # 94-5342 assigned for appeal [41-1] by JAMES A. BAYLESS and receipt by Clerk, USCA, dated 11/17/94 for preliminary record on appeal (mlp) (Entered: 11/25/1994)
08/09/1995	42	CERTIFIED COPY of Order filed in USCA dated 6/9/95, on appeal [41-1] , affirming the judgment of USDC in part and remanding remainder of case for further proceedings. USCA # 94-5342 (mbd) (Entered: 08/10/1995)
09/11/1996	43	MEMORANDUM ORDER by Judge Ricardo M. Urbina: granting nunc pro tunc plaintiff's motion for an extension of time; granting defendants' motion for summary judgment on plaintiff's Privacy Act, Fifth Amendment and Eight Amendment claims; dismissing plaintiff's claim for habeas corpus relief (N) (jwd) Modified on 09/11/1996 (Entered: 09/11/1996)