

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:94-cv-00195-NHJ**

CERULLO v. HAWK, et al  
Assigned to: Judge Norma Holloway Johnson  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 02/02/1994  
Date Terminated: 10/26/1994  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**DAVID CERULLO**

represented by **DAVID CERULLO**  
R23443-013  
SANDSTONE FEDERAL  
CORRECTIONAL INSTITUTION  
P.O. Box 1000  
Sandstone, MN 55072  
PRO SE

V.

**Defendant**

**KATHLEEN M. HAWK-SAWYER**  
*Director, Federal Bureau of Prisons*

represented by **Keith V. Morgan**  
U.S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
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Crimes  
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**Patricia Daniells Carter**  
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**TERMINATED: 07/22/1994**  
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**Susan Ann Nellor**  
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Judiciary Center Building  
555 Fourth Street, NW  
Room 10-845  
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(202) 514-0065  
**TERMINATED: 08/31/1994**  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**WALLACE H. CHENEY**  
*Assistant Director, Federal Bureau of*

represented by **Keith V. Morgan**  
(See above for address)

*Prisons**LEAD ATTORNEY  
ATTORNEY TO BE NOTICED***Patricia Daniells Carter**  
(See above for address)  
*TERMINATED: 07/22/1994  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED***Susan Ann Nellor**  
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*TERMINATED: 08/31/1994  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED***Defendant****BUREAU OF PRISONS**represented by **Keith V. Morgan**  
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*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED***Patricia Daniells Carter**  
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*TERMINATED: 07/22/1994  
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ATTORNEY TO BE NOTICED***Susan Ann Nellor**  
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*TERMINATED: 08/31/1994  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED***Defendant****UNITED STATES OF AMERICA**represented by **Keith V. Morgan**  
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*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED***Patricia Daniells Carter**  
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*TERMINATED: 07/22/1994  
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*TERMINATED: 08/31/1994  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
02/02/1994	1	COMPLAINT filed (bm) (Entered: 02/04/1994)
02/02/1994	2	APPLICATION by plaintiff DAVID CERULLO to proceed in forma pauperis (bm) (Entered: 02/04/1994)
02/02/1994		ORDER by Judge John H. Pratt granting motion to proceed in forma pauperis [2-1] by DAVID CERULLO (fiat) (N) (bm) (Entered: 02/04/1994)
02/02/1994		SUMMONS (5) issued to federal party(s) defendant KATHLEEN HAWK, defendant WALLACE H. CHENEY, defendant BOP, defendant USA , and non-parties: U.S.

		Attorney and U.S. Attorney General. (bm) (Entered: 02/04/1994)
02/28/1994	3	RETURN OF SERVICE/AFFIDAVIT executed upon U. S. Attorney on 2/16/94 (dmb) (Entered: 03/01/1994)
02/28/1994	4	RETURN OF SERVICE/AFFIDAVIT executed upon U. S. Attorney General on 2/24/94 (dmb) (Entered: 03/01/1994)
03/16/1994	5	RETURN OF SERVICE/AFFIDAVIT executed upon defendant BOP on 2/24/94; attachment (1) (dmb) (Entered: 03/17/1994)
03/17/1994	6	ANSWER TO COMPLAINT [1-1] by defendants KATHLEEN HAWK, WALLACE H. CHENEY, BOP, and USA (bm) (Entered: 03/21/1994)
03/29/1994	7	ACKNOWLEDGMENT OF RECEIPT of summons and complaint upon defendant KATHLEEN HAWK on 3/11/94 . (lpp) (Entered: 03/30/1994)
04/19/1994	8	RETURN OF SERVICE/AFFIDAVIT executed on 3/16/94 upon defendant KATHLEEN HAWK . (bm) (Entered: 04/20/1994)
06/10/1994	9	MOTION filed by plaintiff DAVID CERULLO to amend ; attachments (3). (bm) (Entered: 06/13/1994)
07/05/1994	10	ORDER by Judge Norma H. Johnson : that the parties file written status reports with the Court no later than 7/22/94. The plaintiff be, and hereby is, advised that failure to file a timely status report may result in dismissal of his case. (N) (adc) (Entered: 07/06/1994)
07/21/1994	11	STATUS REPORT by plaintiff(s) DAVID CERULLO (jeb) (Entered: 07/22/1994)
07/22/1994	12	SUBSTITUTION OF COUNSEL for KATHLEEN HAWK, WALLACE H. CHENEY, BOP, USA , substituting Susan Ann Nellor for attorney Patricia Daniells Carter. (tth) (Entered: 07/27/1994)
07/22/1994	13	STATUS REPORT by defendants KATHLEEN HAWK, WALLACE H. CHENEY, BOP, and USA; exhibits (2). (tth) (Entered: 08/04/1994)
08/15/1994	14	MOTION filed by plaintiff DAVID CERULLO to amend status report [13-1] by USA, BOP, WALLACE H. CHENEY, KATHLEEN HAWK ; declaration (1). (tth) (Entered: 08/16/1994)
08/31/1994	15	SUBSTITUTION OF COUNSEL for defendants KATHLEEN HAWK, WALLACE H. CHENEY, BOP, and USA , substituting Keith V. Morgan for attorney Susan Ann Nellor for USA, BOP, WALLACE H. CHENEY, and KATHLEEN HAWK (tth) (Entered: 09/01/1994)
08/31/1994	16	MOTION filed by defendant to dismiss complaint [1-1] . ; declaration (1); attachment. (tth) (Entered: 09/01/1994)
09/19/1994	17	ORDER by Judge Norma H. Johnson : that the plaintiff DAVID CERULLO respond to defendants' previously filed motion no later than 10/6/94. If the plaintiff does not respond, the Court will treat the motion as conceded and grant the defendants' motion to dismiss (N) (adc) (Entered: 09/19/1994)
09/19/1994	18	RESPONSE by plaintiff David Cerullo to motion to dismiss complaint [1-1] . [16-1] by USA, BOP, WALLACE H. CHENEY, KATHLEEN HAWK, (no original signature) (lpp) (Entered: 09/26/1994)
10/03/1994	19	NOTICE OF FILING by plaintiff(s) DAVID CERULLO a signature page that is to be attached to plaintiff's response to defendants' motion to dismiss (adc) (Entered: 10/05/1994)
10/04/1994	20	REPLY by defendants KATHLEEN HAWK, WALLACE H. CHENEY, BOP, and USA to plaintiffs opposition to their motion to dismiss the complaint, [16-1]. (tth) (Entered: 10/05/1994)
10/25/1994	21	MEMORANDUM AND ORDER by Judge Norma H. Johnson : granting motion to dismiss complaint [1-1] . [16-1] by USA, BOP, WALLACE H. CHENEY, KATHLEEN HAWK. It is further ordered that this case be, and hereby is, closed. (N) (adc) (Entered: 10/26/1994)

11/25/1994	22	NOTICE OF APPEAL by plaintiff DAVID CERULLO from order [21-1] , entered on: 10/26/94. IFP: Copies mailed to defendants. (Submitted to Judge Johnson) (ted) (Entered: 11/28/1994)
11/28/1994		TRANSMITTED PRELIMINARY RECORD on appeal [22-1] by DAVID CERULLO to U.S. Court of Appeals (ted) (Entered: 11/28/1994)
11/28/1994	23	CERTIFIED that the appeal in this case is not taken in good faith. (N) (adc) (Entered: 11/29/1994)
12/20/1994	24	NOTICE OF CHANGE OF ADDRESS by DAVID CERULLO . New address: FCI Sandstone P.O. Box 1000 Sandstone MN 55072. (ted) (Entered: 12/21/1994)
12/22/1994		USCA # 94-5366 assigned for appeal [22-1] by DAVID CERULLO (ted) (Entered: 12/27/1994)
02/07/1996	25	CERTIFIED COPY of order filed in USCA dated 11/17/96, on appeal [22-1] , affirming the judgment of USDC . USCA # 94-5366 (cjp) (Entered: 02/08/1996)