

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:94-cv-00172-JR**

DELVISCOVO v. FBI, et al
Assigned to: Judge James Robertson
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 02/01/1994
Date Terminated: 10/11/1995
Jury Demand: Defendant
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

NICHOLAS A. DELVISCOVO

represented by **NICHOLAS A. DELVISCOVO**
R13766-050, Unit 2-B
SCHUYLKILL FEDERAL
CORRECTIONAL INSTITUTION
P.O. Box 700
Minersville, PA 17954
PRO SE

V.

Defendant

**FEDERAL BUREAU OF
INVESTIGATION**
J. Kevin O'Brien, Chief F.O.I. Section

represented by **Patricia Daniells Carter**
U.S. ATTORNEY'S OFFICE
Judiciary Center Building
555 Fourth Street, NW
Washington, DC 20530
(202) 514-7228
TERMINATED: 07/05/1994
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sherri Evans Harris
FREDDIE MAC
Legal Division
8200 Jones Branch Drive
M.S. 202
McLean, VA 22102
(703) 903-2680
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

U.S. DEPARTMENT OF JUSTICE
Office of Information and Privacy

represented by **Patricia Daniells Carter**
(See above for address)
TERMINATED: 07/05/1994
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sherri Evans Harris
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**ATTORNEY GENERAL'S OFFICE
FOR THE STATE OF NEW JERSEY**
Waterfront Operations

represented by **Patricia Daniells Carter**
(See above for address)
TERMINATED: 07/05/1994
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Sherri Evans Harris
 (See above for address)
 LEAD ATTORNEY
 ATTORNEY TO BE NOTICED

V.

Intervenor Defendant**THOMAS WASHINGTON**

Date Filed	#	Docket Text
02/01/1994	1	COMPLAINT filed (bm) (Entered: 02/02/1994)
02/01/1994		SUMMONS (8) issued to federal party(s) defendant FBI, defendant DOJ, defendant ATTORNEY GENERAL/NJ , and non-parties: U.S. Attorney and U.S. Attorney General. (bm) (Entered: 02/02/1994)
02/01/1994	2	APPLICATION by plaintiff NICHOLAS A. DELVESCOVO to proceed in forma pauperis (bm) (Entered: 02/02/1994)
02/01/1994		ORDER by Judge John H. Pratt granting motion to proceed in forma pauperis [2-1] by NICHOLAS A. DELVESCOVO (fiat) (N) (bm) (Entered: 02/02/1994)
02/16/1994	3	RETURN OF SERVICE/AFFIDAVIT executed upon U. S. Attorney General on 2/7/94 in person (ab) (Entered: 02/22/1994)
02/16/1994	4	RETURN OF SERVICE/AFFIDAVIT executed upon U. S. Attorney on 2/7/94 in person (ab) (Entered: 02/22/1994)
02/28/1994	5	RETURN OF SERVICE/AFFIDAVIT executed upon defendant FBI on 2/18/94 via certified mail; attachment (1) (dmb) (Entered: 03/01/1994)
02/28/1994	6	RETURN OF SERVICE/AFFIDAVIT executed upon defendant DOJ on 2/18/94 via certified mail; attachment (1) (dmb) (Entered: 03/01/1994)
03/09/1994	7	ANSWER TO COMPLAINT [1-1] by defendant FBI, defendant DOJ, defendant ATTORNEY GENERAL/NJ; (pm) (Entered: 03/10/1994)
03/09/1994		CALENDARED (pm) (Entered: 03/10/1994)
03/10/1994	8	MOTION filed for THOMAS WASHINGTON to intervene as claimant, sset aside default judgment and stay decree of forfeiture , (pm) (Entered: 03/10/1994)
03/16/1994	9	RETURN OF SERVICE/AFFIDAVIT executed upon U. S. Attorney General on 3/16/94; attachemnt (1) (dmb) (Entered: 03/18/1994)
03/25/1994	10	REQUEST by plaintiff NICHOLAS A. DELVESCOVO for a de Novo hearing (dmb) (Entered: 03/29/1994)
04/06/1994	11	RESPONSE by defendants FBI, DOJ, and ATTORNEY GENERAL/NJ in opposition to motion for a de Novo hearing [10-1] by NICHOLAS A. DELVESCOVO . (bm) (Entered: 04/07/1994)
05/27/1994	12	ORDER by Judge Harold H. Greene : denying motion for a de Novo hearing [10-1] by NICHOLAS A. DELVESCOVO (N) (bm) (Entered: 05/27/1994)
05/31/1994	14	MOTION filed by defendant FBI, defendant DOJ, defendant ATTORNEY GENERAL/NJ to dismiss the executive office for the U.S. Attorney , Exhibits (6), Declarations (1) (lpp) (Entered: 06/03/1994)
06/01/1994	13	MOTION filed by defendant FBI to extend time to 6/15/94 within which to file their dispositive motion (bm) (Entered: 06/02/1994)

06/07/1994	15	ORDER by Judge Harold H. Greene : granting motion of defendants to extend time to 6/15/94 within which to file their dispositive motion [13-1] by FBI (N) (dcn) (Entered: 06/08/1994)
06/15/1994	16	MOTION filed by defendant to extend time to 6/23/94 to file dispositive motion on behalf of FBI. (bjl) (Entered: 06/16/1994)
06/16/1994	17	MOTION filed by plaintiff(s) NICHOLAS A. DELVISCOVO to extend time to 6/30/94 in which to file a response to the dispositive motion (adc) (Entered: 06/17/1994)
06/21/1994	18	ORDER by Judge Harold H. Greene : granting motion to extend time to 6/23/94 to file dispositive motion on behalf of FBI. [16-1] by ATTORNEY GENERAL/NJ, DOJ, FBI (N) (dcn) Modified on 07/20/1994 (Entered: 06/21/1994)
06/21/1994	19	ORDER by Judge Harold H. Greene : granting motion to extend time to 6/30/94 in which to file a response to the dispositive motion [17-1] by NICHOLAS A. DELVISCOVO (N) (dcn) Modified on 07/20/1994 (Entered: 06/21/1994)
06/23/1994	20	MOTION filed by defendant FBI, defendant DOJ, defendant ATTORNEY GENERAL/NJ to extend time to 7/26/94 within which to file a dispositive motion (adc) (Entered: 06/24/1994)
06/27/1994	21	RESPONSE by plaintiff(s) NICHOLAS A. DELVISCOVO in opposition to motion to dismiss the executive office for the U.S. Attorney [14-1] by ATTORNEY GENERAL/NJ, DOJ, FBI .; Exhibits 1-4; Attachments A-C (dcn) Modified on 06/28/1994 (Entered: 06/28/1994)
07/05/1994	22	ATTORNEY APPEARANCE for defendant FBI, defendant DOJ, defendant ATTORNEY GENERAL/NJ by Sherri Lanette Evans; withdrawal of the appearance of Patricia Carter. (bm) Modified on 07/06/1994 (Entered: 07/06/1994)
07/05/1994	23	MOTION filed by defendants FBI, DOJ, and ATTORNEY GENERAL/NJ to extend time to 7/7/94 within which to file their reply to plaintiff's opposition to defendants' motion to dismiss (bm) (Entered: 07/06/1994)
07/07/1994	24	REPLY by defendant to response in opposition to motion to dismiss [21-1] by NICHOLAS A. DELVISCOVO. Exhibits (2) (dcn) Modified on 07/08/1994 (Entered: 07/08/1994)
07/11/1994	25	ORDER by Judge Harold H. Greene : granting motion to extend time to 7/7/94 within which to file their reply to plaintiff's opposition to defendants' motion to dismiss the Executive Office for U.S. Attorneys [23-1] by ATTORNEY GENERAL/NJ, DOJ, FBI (N) (dcn) (Entered: 07/12/1994)
07/11/1994	26	ORDER by Judge Harold H. Greene : granting motion to extend time to 7/26/94 within which to file a dispositive motion [20-1] by ATTORNEY GENERAL/NJ, DOJ, FBI dispositive motions due by 7/26/94 ; (N) (dcn) (Entered: 07/12/1994)
07/26/1994	27	MOTION filed by defendants FBI, DOJ, and ATTORNEY GENERAL/NJ to extend time to 9/7/94 to file their dispositive motion on behalf of the Federal Bureau of Investigation (tth) (Entered: 07/28/1994)
09/01/1994	28	ORDER by Judge Harold H. Greene : granting motion to extend time to 9/7/94 to file their dispositive motion on behalf of the Federal Bureau of Investigation [27-1] by ATTORNEY GENERAL/NJ, DOJ, FBI (N) (jeb) (Entered: 09/01/1994)
10/17/1994	29	MOTION filed by defendant FBI, defendant DOJ, defendant ATTORNEY GENERAL/NJ to extend time to 10/26/94 to file their dispositive motion on behalf of the Federal Bureau of Investigation (tth) (Entered: 10/18/1994)
10/26/1994	30	MOTION filed by defendant FBI for summary judgment on behalf of the FBI. Exhibits (89) (ted) (Entered: 10/27/1994)
11/17/1994	31	REASSIGNMENT OF CIVIL CASE from Judge Greene to Judge James Robertson by direction of the Calendar Committee. Emergency matters will continue to be handled by Judge Greene until Judge Robertson takes the oath of office. (N) (lpp) (Entered: 11/17/1994)

11/17/1994	32	ORDER by Judge Harold H. Greene : granting motion to extend time to 10/26/94 to file their dispositive motion on behalf of the Federal Bureau of Investigation [29-1] by ATTORNEY GENERAL/NJ, DOJ, FBI (N) (dcn) (Entered: 11/20/1994)
12/16/1994	33	MOTION filed by plaintiff NICHOLAS A. DELVISCOVO to extend time for 90 days to respond to FBI's motion for summary judgment (dcn) (Entered: 12/19/1994)
12/16/1994	34	ORDER by Judge Harold H. Greene : granting motion to extend time for 90 days to respond to FBI's motion for summary judgment [33-1] by NICHOLAS A. DELVISCOVO response to motion for summary judgment due 1/9/95 ; (N) (dcn) (Entered: 12/19/1994)
01/12/1995	35	RESPONSE by plaintiff NICHOLAS A. DELVISCOVO in opposition to motion for summary judgment on behalf of the FBI. [30-1] by FBI . (ted) (Entered: 01/13/1995)
01/26/1995	36	REPLY by defendant FBI to plaintiff's opposition to defendant's motion for summary judgment on behalf of the FBI. [30-1] (ted) (Entered: 01/27/1995)
10/11/1995	37	MEMORANDUM OPINION by Judge James Robertson (N) (jeb) (Entered: 10/12/1995)
10/11/1995	38	ORDER by Judge James Robertson : granting motion for summary judgment on behalf of the FBI [30-1]; finding motion to dismiss the executive office for the U.S. Attorney by ATTORNEY GENERAL/NJ, DOJ, FBI [14-1] moot entering summary judgment for defendant FBI. (N) (jeb) (Entered: 10/12/1995)
11/03/1995	39	NOTICE OF APPEAL by plaintiff NICHOLAS A. DELVISCOVO from order [38-2] , entered on: October 12, 1995. IFP: Copies mailed to Nicholas A. Delviscovo, Sherri Lanette Evans. (Submitted to Judge Robertson). (Buck slip w/noa to Judge). (JMF) (Entered: 11/06/1995)
11/06/1995		TRANSMITTED PRELIMINARY RECORD on appeal [39-1] by NICHOLAS A. DELVISCOVO to U.S. Court of Appeals (JMF) (Entered: 11/06/1995)
11/09/1995		USCA # 95-5388 assigned for appeal [39-1] by NICHOLAS A. DELVISCOVO (JMF) (Entered: 11/14/1995)
03/28/1997	40	CERTIFIED COPY of order filed in USCA dated 1/24/97, on appeal [39-1] , affirming the judgment of USDC . , and affirming the judgment of USDC . USCA # 95-5388 (cjp) (Entered: 04/06/1997)