

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:94-cv-00072-JR**

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

Date Filed: 01/12/1994  
Date Terminated: 06/12/1997  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**WAYNE PRAY**

represented by **WAYNE PRAY**  
R27436-004  
ATLANTA UNITED STATES  
PENITENTIARY  
601 McDonough Boulevard, SE  
Atlanta, GA 30315  
PRO SE

V.

**Defendant**

**U.S. DEPARTMENT OF JUSTICE**

represented by **Serafina Marissa Esposito**  
U.S. DEPARTMENT OF JUSTICE  
Office of Information & Privacy  
950 Pennsylvania Avenue, NW  
Suite 570  
Washington, DC 20530-0001  
(202) 616-5461  
*TERMINATED: 12/05/1996*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Thomas Joseph McIntyre , Jr.**  
U.S. DEPARTMENT OF JUSTICE  
1301 New York Avenue, NW  
Suite 1127  
Washington, DC 20530-0001  
(202) 514-4412  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**JANET RENO**  
*Attorney General*

represented by **Serafina Marissa Esposito**  
(See above for address)  
*TERMINATED: 12/05/1996*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Thomas Joseph McIntyre , Jr.**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**LOUIS FREEH**  
*Director, FBI*

represented by **Serafina Marissa Esposito**  
(See above for address)  
*TERMINATED: 12/05/1996*  
*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Thomas Joseph McIntyre , Jr.**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**DRUG ENFORCEMENT  
 ADMINISTRATION**

represented by **Serafina Marissa Esposito**  
 (See above for address)  
*TERMINATED: 12/05/1996*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Thomas Joseph McIntyre , Jr.**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
01/12/1994	1	COMPLAINT filed; attachments (9). (bm) (Entered: 01/14/1994)
01/12/1994		SUMMONS (5) issued to federal party(s) defendants DOJ, JANET RENO, LOUIS FREEH, DEA , and non-parties: U.S. Attorney and U.S. Attorney General. (bm) (Entered: 01/14/1994)
01/12/1994	2	APPLICATION by plaintiff WAYNE PRAY to proceed in forma pauperis (bm) (Entered: 01/14/1994)
01/12/1994		ORDER by Judge John H. Pratt granting motion to proceed in forma pauperis [2-1] by WAYNE PRAY (fiat) (N) (bm) (Entered: 01/14/1994)
01/26/1994	3	RETURN OF SERVICE/AFFIDAVIT executed upon U. S. Attorney on 1/24/94 (adc) (Entered: 01/27/1994)
01/26/1994	4	RETURN OF SERVICE/AFFIDAVIT executed upon U. S. Attorney General on 1/25/94 (adc) (Entered: 01/27/1994)
02/16/1994	5	RETURN OF SERVICE/AFFIDAVIT executed upon defendant DOJ on 2/2/94 by certified mail; Attachment (1) (ab) (Entered: 02/22/1994)
02/18/1994	7	ATTORNEY APPEARANCE for defendant DOJ, defendant JANET RENO, defendant LOUIS FREEH, defendant DEA by Serafina M. Esposito (dmb) (Entered: 03/01/1994)
02/23/1994	6	ANSWER TO COMPLAINT [1-1] by defendant DOJ, defendant JANET RENO, defendant LOUIS FREEH, defendant DEA (dmb) (Entered: 02/25/1994)
03/23/1994	8	ORDER by Judge Harold H. Greene : directing defendants to file a Vaughn Index with 30 days of this order (N) (dcn) (Entered: 03/23/1994)
04/14/1994	9	NOTICE OF FILING by defendants informing the Clerk that the motion for enlargement of time filed by the defendant's on 4/8/94 was inadvertently titled 94-270 and was filed in the wrong case. (adc) (Entered: 04/15/1994)
04/14/1994	10	MOTION filed by defendant to extend time to 6/20/94 in which to file Vaughn Index (adc) (Entered: 04/15/1994)
04/22/1994	11	NOTICE OF FILING by defendants DOJ, JANET RENO, LOUIS FREEH, and DEA; declaration of Robert A. Moran; exhibits (23). BULKY PLEADING (bm) (Entered: 04/25/1994)
05/04/1994	12	RESPONSE by plaintiff(s) WAYNE PRAY in opposition to motion to extend time to 6/20/94 in which to file Vaughn Index [10-1] by DEA, LOUIS FREEH, JANET RENO, DOJ . (adc) (Entered: 05/05/1994)

05/27/1994	13	REPORT TO THE COURT by defendants DOJ, JANET RENO, LOUIS FREEH, and DEA (bm) (Entered: 05/31/1994)
05/27/1994	16	ORDER by Judge Harold H. Greene : granting in part, denying in part motion to extend time to 6/20/94 in which to file Vaughn Index [10-1] (N) (dcn) (Entered: 06/03/1994)
05/31/1994	14	MOTION filed by plaintiff WAYNE PRAY for summary judgment (pob) (Entered: 06/01/1994)
05/31/1994	15	AMENDED motion for summary judgment [14-1] by WAYNE PRAY; attachments. (pob) (Entered: 06/01/1994)
06/24/1994	17	MOTION filed by defendant DOJ, defendant JANET RENO, defendant LOUIS FREEH, defendant DEA for summary judgment ; exhibits (7) (adc) (Entered: 06/27/1994)
07/18/1994	18	MOTION filed by plaintiff(s) WAYNE PRAY for summary judgment . Exhibits; BULKY PLEADING (dcn) (Entered: 07/19/1994)
07/26/1994	19	REPLY by defendant DOJ, defendants JANET RENO, LOUIS FREEH, and DEA to response to motion for summary judgment [17-1] by DEA, LOUIS FREEH, JANET RENO, DOJ; attachment (1); declaration (1). (tth) (Entered: 07/28/1994)
08/17/1994	20	MOTION filed by plaintiff WAYNE PRAY for summary judgment ; attachment (1). (tth) (Entered: 08/18/1994)
08/26/1994	21	MOTION filed by defendant DOJ, defendant JANET RENO, defendant LOUIS FREEH, defendant DEA to extend time to 9/14/94 to file opposition to plaintiff's motion for summary judgment (mlp) (Entered: 08/30/1994)
08/30/1994	22	ORDER by Judge Harold H. Greene : granting motion to extend time to 9/14/94 to file opposition to plaintiff's motion for summary judgment [21-1] by DEA, LOUIS FREEH, JANET RENO, DOJ (N) (jeb) (Entered: 08/30/1994)
09/14/1994	23	RESPONSE by defendant DOJ, defendant JANET RENO, defendant LOUIS FREEH, defendant DEA in opposition to motion for summary judgment [20-1] by WAYNE PRAY . (tth) (Entered: 09/15/1994)
11/17/1994	24	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)
05/05/1995	25	NOTICE OF CHANGE OF ADDRESS by Serafina Marisa Esposito representing plaintiff WAYNE PRAY, defendant DOJ, defendant JANET RENO, defendant LOUIS FREEH, defendant DEA . New address: Department of Justice, Office of Information and Privacy, Flag Building, Suite 570, Washington, D.C. 20530, (202) 616-5461 . (lpp) (Entered: 05/09/1995)
10/11/1995	26	MEMORANDUM OPINION by Judge James Robertson (N) (jeb) (Entered: 10/12/1995)
10/11/1995	27	ORDER by Judge James Robertson : granting motion for summary judgment [17-1] by DEA, LOUIS FREEH, JANET RENO, DOJ; entering summary judgment for defendants against the plaintiff. (N) (jeb) (Entered: 10/12/1995)
10/27/1995	28	NOTICE OF APPEAL by plaintiff WAYNE PRAY from order [27-2] , entered on: October 11, 1995. IFP: Copies mailed to . (Submitted to Judge Robertson). (Buck slip w/noa to Judge). (JMF) (Entered: 10/31/1995)
10/31/1995		TRANSMITTED PRELIMINARY RECORD on appeal [28-1] by WAYNE PRAY to U.S. Court of Appeals (JMF) (Entered: 10/31/1995)
11/09/1995		USCA # 95-5383 assigned for appeal [28-1] by WAYNE PRAY (JMF) (Entered: 11/14/1995)
11/25/1996	29	ORDER by Judge James Robertson: directing that unless either party files a petition for rehearing of the Court of Appeals decision of 11/20/96, the defendant FBI shall file by 12/20/96 a supplemental memorandum; directing the plaintiff to file a response

		within 30 days after the date of the FBI supplemental filing ; directing that this order shall have no effect if a timely petition for rehearing is filed in the U.S. Court of Appeals, provided only that the party filing such petition notify this Court of the filing. (N) (jeb) (Entered: 11/25/1996)
12/05/1996	30	SUBSTITUTION OF COUNSEL for defendant DOJ, defendant JANET RENO, defendant LOUIS FREEH, defendant DEA , substituting Thomas Joseph McIntyre Jr. for attorney Serafina Marissa Esposito for DEA, attorney Serafina Marissa Esposito for LOUIS FREEH, attorney Serafina Marissa Esposito for JANET RENO, attorney Serafina Marissa Esposito for DOJ (adc) (Entered: 12/06/1996)
12/20/1996	31	MOTION (RENEWED) filed by defendant for summary judgment ; exhibits (2) (JMF) (Entered: 12/23/1996)
01/24/1997	32	MOTION filed by plaintiff WAYNE PRAY to extend time to ten days to respond to defendants motion for summary judgment (JMF) (Entered: 01/27/1997)
01/28/1997	33	ORDER by Judge James Robertson : granting motion to extend time to respond to defendant's renewed motion for summary judgment [32-1] by WAYNE PRAY; extending time to 2/28/97 for plaintiff to file an opposition to defendant's renewed motion for summary judgment. (N) (jeb) (Entered: 01/28/1997)
01/29/1997	34	MOTION filed by federal defendant to extend time to 2/7/97 to file reply to plaintiff's opposition to defendants' renewed motion for summary judgment and their opposition to plaintiff' motion to affirm or deny the existence of illegal wire interception (JMF) (Entered: 01/30/1997)
01/30/1997	35	ORDER by Judge James Robertson : granting motion to extend time to 2/7/97 to file reply to plaintiff's opposition to defendants' renewed motion for summary judgment and their opposition to plaintiff' motion to affirm or deny the existence of illegal wire interception [34-1] by DEA, LOUIS FREEH, JANET RENO, DOJ (N) (jeb) (Entered: 01/30/1997)
02/07/1997	36	CERTIFIED COPY of order filed in USCA dated 11/20/96, on appeal [28-1] , affirming the judgment of USDC in part , and remanding for further proceedings. USCA # 95-5383 (cjp) (Entered: 02/07/1997)
02/07/1997	37	REPLY (MEMORANDUM OF POINTS AND AUTHORITIES) by federal defendants' to to plaintiff's oppositon to motion for summary judgment [31-1] (JMF) (Entered: 02/10/1997)
02/07/1997	38	MEMORANDUM by federal defendant in opposition to plaintiff's motion to affirm or deny the existence of illegal wire interception (JMF) (Entered: 02/10/1997)
03/10/1997	39	RESPONSE by plaintiff WAYNE PRAY in opposition to motion for summary judgment [31-1] by federal defendants'; (fiat); Judge James R. Robertson. (JMF) (Entered: 03/11/1997)
04/22/1997		Case Reopened (jeb) (Entered: 04/22/1997)
05/07/1997	41	LETTER to the Court; (fiat) JUDGE JAMES ROBERTSON (JMF) (Entered: 05/20/1997)
05/16/1997	40	NOTICE OF FILING by federal defendant DOJ, federal defendant JANET RENO, federal defendant LOUIS FREEH, federal defendant DEA, of second supplemental declaration of Robert A. Moran, special agent, Federal Bureau of Investigation; Attachment. (lkn) (Entered: 05/19/1997)
06/09/1997	42	MEMORANDUM by federal defendant in opposition to plaintiff's "motion for complete discovery and or a vaughn index" (JMF) (Entered: 06/10/1997)
06/12/1997	43	MEMORANDUM OPINION by Judge James Robertson (N) (jeb) (Entered: 06/12/1997)
06/12/1997	44	ORDER by Judge James Robertson : granting motion for summary judgment [31-1] by federal defendants; denying plaintiff's motion to affirm or deny the existence of illegal wire interception; denying the plaintiff's motion to compel discovery; dismissing case. (N) (jeb) (Entered: 06/12/1997)

06/12/1997	45	MOTION filed by plaintiff WAYNE PRAY to affirm or deny the existence of illegal wire interception ; (fiat) Judge James Robertson (JMF) Modified on 06/16/1997 (Entered: 06/16/1997)
06/12/1997	46	MOTION filed by plaintiff WAYNE PRAY for complete discovery and or a vaughn index ; (fiat) Judge James Robertson (JMF) Modified on 06/16/1997 (Entered: 06/16/1997)
06/12/1997	47	RESPONSE by plaintiff WAYNE PRAY in opposition to defendant motion for summary judgment; (fiat) Judge James Robertson. (JMF) (Entered: 06/16/1997)
08/13/1997	48	ORDER by Judge James Robertson: directing that certain communications from the plaintiff be filed; directing that plaintiff's notice of appeal from the judgment entered on 6/12/97 be deemed timely filed. (N) (jeb) (Entered: 08/13/1997)
08/13/1997	49	LETTER from plaintiff dated 8/2/97 re: correspondence from to the Court, "let this be filed." (N) (jeb) (Entered: 08/13/1997)
08/13/1997	50	MOTION filed by plaintiff WAYNE PRAY for leave to file an appeal out of time (jeb) (Entered: 08/13/1997)
08/13/1997	51	NOTICE OF APPEAL by plaintiff WAYNE PRAY from order [44-1] , entered on: June 12, 1997. IFP: Copies mailed to Wayne Pray and Thomas J. McIntyre, Jr. (Submitted to Judge James Robertson). (Buck slip w/noa to Judge). (JMF) (Entered: 08/26/1997)
08/26/1997		TRANSMITTED PRELIMINARY RECORD on appeal [51-1] by WAYNE PRAY to U.S. Court of Appeals (JMF) (Entered: 08/26/1997)
09/02/1997		USCA # 97-5215 assigned for appeal [51-1] by WAYNE PRAY (lkn) (Entered: 09/03/1997)
03/03/1998	52	CERTIFIED COPY of Order filed in USCA dated 3/2/98, referencing appeal [51-1] , directing initial partial filing fee. USCA # 97-5215 (cjp) (Entered: 03/04/1998)
04/27/1998	53	CERTIFIED COPY of order filed in USCA dated 3/2/98, on appeal [51-1] , affirming the judgment of USDC . USCA # 97-5215 (cjp) (Entered: 04/27/1998)