

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:93-cv-02239-NHJ**

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

Date Filed: 10/29/1993
Date Terminated: 03/24/1995
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

BYRON WRAY

represented by **BYRON WRAY**
Unit Piedmont B-14
Caller Box 8004
Goldsboro, NC 27531
PRO SE

V.

Defendant

U.S. DEPARTMENT OF JUSTICE

represented by **Keith V. Morgan**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
Criminal Division -- Felony Major
Crimes
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Patricia Daniells Carter
U.S. ATTORNEY'S OFFICE
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TERMINATED: 07/15/1994
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Susan Ann Nellor
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Judiciary Center Building
555 Fourth Street, NW
Room 10-845
Washington, DC 20530
(202) 514-0065
TERMINATED: 08/25/1994
LEAD ATTORNEY
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Defendant

**EXECUTIVE OFFICE FOR UNITED
STATES ATTORNEY
TERMINATED: 01/10/1995**

Defendant**US MARSHAL SERVICE****Defendant****FEDERAL BUREAU OF
INVESTIGATION****Defendant****DRUG ENFORCEMENT
ADMINISTRATION**

Date Filed	#	Docket Text
10/29/1993	1	COMPLAINT filed; attachment (1) (dmb) (Entered: 11/01/1993)
10/29/1993	2	APPLICATION by plaintiff BYRON WRAY to proceed in forma pauperis (dmb) (Entered: 11/01/1993)
10/29/1993		ORDER by Judge John H. Pratt granting motion to proceed in forma pauperis [2-1] by BYRON WRAY (fiat) (N) (dmb) (Entered: 11/01/1993)
10/29/1993		SUMMONS issued (3) to federal party(s) defendant DOJ , and non-parties: U.S. Attorney and U.S. Attorney General. (dmb) (Entered: 11/01/1993)
11/09/1993	3	RETURN OF SERVICE/AFFIDAVIT executed upon U. S. Attorney on 11/3/93 (bm) (Entered: 11/10/1993)
11/23/1993	4	RETURN OF SERVICE/AFFIDAVIT executed upon U. S. Attorney General on 11/8/93 (dmb) (Entered: 11/26/1993)
12/03/1993	5	ATTORNEY APPEARANCE for defendant DOJ by Patricia Daniells Carter (pm) (Entered: 12/07/1993)
12/03/1993	6	MOTION filed by defendant DOJ to extend time to respond to plaintiff's complaint until 1/3/94 (pm) (Entered: 12/07/1993)
12/07/1993	7	ORDER by Judge Norma H. Johnson : granting motion to extend time to respond to plaintiff's complaint until 1/3/94 [6-1] by DOJ (N) (adc) (Entered: 12/08/1993)
01/03/1994	8	RETURN OF SERVICE/AFFIDAVIT executed upon defendant DOJ on 11/12/93; attachment (1) (dmb) Modified on 01/04/1994 (Entered: 01/04/1994)
01/03/1994	9	ANSWER for defendant DOJ to the complaint. (bm) (Entered: 01/04/1994)
01/10/1994	10	ORDER by Judge Norma H. Johnson : status hearing set for 2:00 p.m. on 2/4/94 (N) (adc) (Entered: 01/11/1994)
01/31/1994	11	ORDER by Judge Norma H. Johnson : that the hearing currently scheduled for 2/4/94, be, and hereby is, cancelled; that parties file written status reports with the Court no later than 2/21/94; that plaintiff be, and hereby is, advised that failure to file a timely status report may result in dismissal of his case (N) (adc) (Entered: 02/02/1994)
02/03/1994	12	MOTION filed by plaintiff BYRON WRAY for appointment of counsel (bm) (Entered: 02/04/1994)
02/22/1994	13	STATUS REPORT by plaintiff BYRON WRAY (dmb) (Entered: 02/23/1994)
02/22/1994	14	STATUS REPORT by defendant DOJ (dmb) (Entered: 02/23/1994)
06/03/1994	15	MOTION filed by plaintiff for summary judgment . (bjl) (Entered: 06/06/1994)
06/13/1994	16	MOTION filed by defendant DOJ to extend time to 7/15/94 to respond to plaintiff's motion for summary judgment (jeb) (Entered: 06/14/1994)
06/15/1994	17	ORDER by Judge Norma H. Johnson : granting motion to extend time to 7/15/94 to respond to plaintiff's motion for summary judgment [16-1] by DOJ (N) (adc) (Entered: 06/17/1994)

07/15/1994	18	ATTORNEY APPEARANCE for defendant DOJ by Susan Ann Nellor; and withdrawing the appearance of Patricia D. Carter. (bm) (Entered: 07/18/1994)
07/15/1994	19	MOTION filed by defendant DOJ to extend time to 8/25/94 within which to respond to plaintiff's motion for summary judgment (bm) (Entered: 07/18/1994)
07/19/1994	20	ORDER by Judge Norma H. Johnson : granting motion to extend time to 8/25/94 within which to respond to plaintiff's motion for summary judgment [19-1] by DOJ (N) (adc) (Entered: 07/20/1994)
07/22/1994	21	OBJECTIONS by plaintiff(s) BYRON WRAY to motion to extend time to 8/25/94 within which to respond to plaintiff's motion for summary judgment [19-1] by DOJ (lpp) (Entered: 07/25/1994)
08/25/1994	22	SUBSTITUTION OF COUNSEL for defendant DOJ , substituting Keith V. Morgan for attorney Susan Ann Nellor for DOJ (mlp) (Entered: 08/30/1994)
08/25/1994	23	MOTION filed by defendant DOJ to extend time to 9/1/94 for the Federal Bureau of Investigation to respond to plaintiff's motion for summary judgment (mlp) (Entered: 08/30/1994)
08/25/1994	24	MOTION filed by defendant DOJ to dismiss the Executive Office for U.S. Attorneys from this case ; declaration; exhibits (5) (mlp) (Entered: 08/30/1994)
08/25/1994	25	MOTION filed by defendant DOJ for summary judgment on behalf of the U.S. Marshals Service ; affidavit; exhibits (7) (mlp) (Entered: 08/30/1994)
08/30/1994	26	ORDER by Judge Norma H. Johnson : granting motion to extend time to 9/1/94 for the Federal Bureau of Investigation to respond to plaintiff's motion for summary judgment [23-1] by DOJ response to motion for summary judgment due 9/1/94 ; (N) (lpp) (Entered: 08/31/1994)
09/01/1994	27	MOTION filed by defendant DOJ to extend time to 9/8/94 to respond to plaintiff's motion for summary judgment (tth) (Entered: 09/06/1994)
09/02/1994	28	ORDER by Judge Norma H. Johnson : granting motion to extend time to 9/8/94 to respond to plaintiff's motion for summary judgment [27-1] by DOJ (N) (adc) (Entered: 09/08/1994)
09/08/1994	30	MOTION filed by defendant DOJ for summary judgment . ; declaration (1); exhibits (10). (tth) (Entered: 09/09/1994)
09/09/1994	29	ORDER by Judge Norma H. Johnson : denying motion for appointment of counsel [12-1] by BYRON WRAY (N) (adc) (Entered: 09/09/1994)
09/19/1994	31	MOTION filed by plaintiff(s) BYRON WRAY for leave to file amended complaint (tth) Modified on 12/15/1994 (Entered: 09/20/1994)
09/19/1994	32	RESPONSE by plaintiff(s) BYRON WRAY in opposition to motion for summary judgment . [30-1] by DOJ . (tth) (Entered: 09/20/1994)
09/19/1994	33	REQUEST by plaintiff(s) BYRON WRAY to defendant DOJ for production of documents (tth) (Entered: 09/20/1994)
09/19/1994	34	OBJECTION by plaintiff(s) BYRON WRAY to any additional enlargements of time by any party herein. (tth) (Entered: 09/20/1994)
09/19/1994	35	RESPONSE by plaintiff(s) BYRON WRAY in opposition to motion for summary judgment on behalf of the U.S. Marshals Service [25-1] by DOJ . (tth) (Entered: 09/20/1994)
09/19/1994	36	RESPONSE by plaintiff(s) BYRON WRAY in opposition to motion to dismiss the Executive Office for U.S. Attorneys from this case [24-1] by DOJ . (tth) (Entered: 09/20/1994)
09/19/1994	37	INTERROGATORIES filed by plaintiff(s) BYRON WRAY to defendant DOJ (tth) (Entered: 09/20/1994)
09/19/1994	38	NOTICE OF FILING by plaintiff(s) BYRON WRAY of a demand for trial. (tth) (Entered: 09/20/1994)

09/30/1994	39	MOTION filed by defendant DOJ to extend time to 11/3/94 to reply to plaintiff's opposition to defendant's dispositive motions on behalf of the U.S. Marshals Service, the Executive Office for U.S. Attorneys, Federal Bureau of Investigation; plaintiff's motion to produce documents; plaintiff's demand for trial; plaintiff's motion to amend his complaint and plaintiff's discovery request. (tth) (Entered: 10/04/1994)
10/04/1994	40	ORDER by Judge Norma H. Johnson : granting motion to extend time to 11/3/94 to reply to plaintiff's opposition to defendant's dispositive motions on behalf of the U.S. Marshals Service, the Executive Office for U.S. Attorneys, Federal Bureau of Investigation; plaintiff's motion to produce documents; plaintiff's demand for trial; plaintiff's motion to amend his complaint and plaintiff's discovery request. [39-1] by DOJ (N) (adc) (Entered: 10/05/1994)
10/04/1994	50	AMENDED COMPLAINT by plaintiff BYRON WRAY amending complaint [1-1]. (ted) (Entered: 12/15/1994)
10/11/1994	41	NOTICE OF CHANGE OF ADDRESS by BYRON WRAY representing plaintiff BYRON WRAY: New address: Caller Box 8004, Unit Piedmont B, No. B-14 Goldsboro, NC 27531-8004 (lpp) (Entered: 10/26/1994)
11/03/1994	42	MOTION filed by defendant DOJ to extend time to 11/29/94 to reply to plaintiff's opposition to defendant's dispositive motions (ted) (Entered: 11/04/1994)
11/03/1994	43	RESPONSE by defendant DOJ to motion for leave to file amended complaint [31-1] by BYRON WRAY (ted) (Entered: 11/04/1994)
11/03/1994	44	MOTION filed by defendant DOJ for protective order (ted) (Entered: 11/04/1994)
11/03/1994	45	MOTION filed by defendant DOJ to extend time to 12/14/94 to respond to plaintiff's amended complaint (ted) (Entered: 11/04/1994)
11/09/1994	46	ORDER by Judge Norma H. Johnson : granting motion to extend time to 11/29/94 to reply to plaintiff's opposition to defendant's dispositive motions [42-1] by DOJ; reply to dispositive motions due by 11/29/94 (N) (adc) (Entered: 11/10/1994)
11/09/1994	47	ORDER by Judge Norma H. Johnson : granting motion to extend time to 12/14/94 to respond to plaintiff's amended complaint [45-1] by DOJ (N) (adc) (Entered: 11/10/1994)
11/29/1994	48	REPLY by defendant DOJ to plaintiff's opposition to defendant's motion for summary judgment, motion for summary judgment on behalf of the U.S. Marshals Service, motion to dismiss the Executive Office for U.S. Attorneys from this case (ted) (Entered: 11/30/1994)
12/14/1994	49	MOTION filed by defendant DOJ to extend time to 12/27/94 to answer amended complaint (ted) (Entered: 12/15/1994)
12/16/1994	51	ORDER by Judge Norma H. Johnson : granting motion to extend time to 12/27/94 to answer amended complaint [49-1] by DOJ (N) (adc) (Entered: 12/19/1994)
12/27/1994	52	ANSWER TO AMENDED COMPLAINT [50-1] by defendants (ted) (Entered: 12/28/1994)
01/10/1995	53	MEMORANDUM AND ORDER by Judge Norma H. Johnson : granting plaintiff's motion to amend the complaint to the extent that it names as defendants EOUSA, USMS, FBI AND DEA, and denying to the extent that plaintiff attempts to add any new claims [31-1], granting motion of FBI for summary judgment . [30-1] by DOJ, granting motion for summary judgment on behalf of the U.S. Marshals Service [25-1] by DOJ, granting motion to dismiss the Executive Office for U.S. Attorneys from this case [24-1] by DOJ, denying motion for summary judgment [15-1] by BYRON WRAY. Defendant DEA and plaintiff file written status reports with the Court no later than 1/25/95. Plaintiff is advised that failure to file a timely status report may result in dismissal of his case. (adc) (Entered: 01/10/1995)
01/24/1995	54	MOTION filed by defendant DOJ, defendant U.S. MARSHAL SERVICE, defendant FBI, defendant DEA to dismiss as to defendant DEA ; Exhibits(3) (ted) (Entered: 01/25/1995)

01/25/1995	55	STATUS REPORT by defendants on behalf of DEA (ted) (Entered: 01/26/1995)
01/27/1995	56	NOTICE OF APPEAL by plaintiff BYRON WRAY from order [53-1] , entered on: 1/10/95. IFP: Copies mailed to defendants. (Submitted to Judge Norma H. Johnson) (ted) (Entered: 01/30/1995)
01/27/1995	57	MOTION filed by plaintiff BYRON WRAY for status report (ted) (Entered: 01/30/1995)
01/30/1995		TRANSMITTED PRELIMINARY RECORD on appeal [56-1] by BYRON WRAY to U.S. Court of Appeals (ted) (Entered: 01/30/1995)
02/28/1995	58	CERTIFICATION by Judge Norma Holloway Johnson that plaintiff BYRON WRAY is not entitled to proceed with appeal at this time. (Copy sent to the United States Court of Appeals). (adc) Modified on 03/07/1995 (Entered: 03/01/1995)
03/01/1995		USCA # 95-5045 assigned for appeal [56-1] by BYRON WRAY (ted) (Entered: 03/02/1995)
03/07/1995	59	CERTIFICATION by Judge Norma Holloway Johnson that the plaintiff is not entitled to proceed with appeal at this time. (adc) (Entered: 03/08/1995)
03/07/1995	60	ORDER by Judge Norma H. Johnson : that plaintiff respond to defendant's previously filed motion within 14 days of the date of this Order. If plaintiff does not respond, the Court will treat the motion as conceded and grant defendants' motion to dismiss. (N) (adc) (Entered: 03/08/1995)
03/10/1995		USCA # 95-5045 assigned for appeal [56-1] by BYRON WRAY (ted) (Entered: 03/13/1995)
03/23/1995	61	RESPONSE by plaintiff BYRON WRAY in opposition to motion to dismiss as to defendant DEA [54-1] by DEA, FBI, U.S. MARSHAL SERVICE, DOJ . (ted) (Entered: 03/24/1995)
03/24/1995	62	ORDER by Judge Norma H. Johnson : granting motion to dismiss as to defendant DEA [54-1] by DEA, FBI, U.S. MARSHAL SERVICE, DOJ. This case be, and hereby is, closed. (N) (adc) (Entered: 03/27/1995)
02/07/1996	63	CERTIFIED COPY of order filed in USCA dated 12/7/95, on appeal [56-1] , affirming the judgment of USDC . USCA # 95-5045 (cjp) (Entered: 02/08/1996)