

CLOSED,CONSOL,JURY,TYPE-I

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:93-cv-02205-TPJ**

MERRITT v. BUREAU OF PRISONS, et al
Assigned to: Judge Thomas Penfield Jackson
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 10/26/1993
Date Terminated: 05/16/1995
Jury Demand: Plaintiff
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

DAVID Y. MERRITT

represented by **DAVID Y. MERRITT**
R01569-050
FLORENCE PRISON FACILITY
ADX Florence - Maximum Security
P.O. Box 8500
Florence, CO 81226-8500
PRO SE

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V.

Defendant

FEDERAL BUREAU OF PRISONS

represented by **Suzanne Claire Nyland**
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Defendant

**UNITED STATES PAROLE
COMMISSION**

represented by **Suzanne Claire Nyland**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
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10/26/1993	1	COMPLAINT filed; Exhibits (2). (pob) (Entered: 10/27/1993)
10/26/1993	2	APPLICATION by plaintiff(s) DAVID Y. MERRITT to proceed in forma pauperis (pob) (Entered: 10/27/1993)
10/26/1993		ORDER by Judge John H. Pratt granting motion to proceed in forma pauperis [2-1] by DAVID Y. MERRITT (fiat) (N) (pob) (Entered: 10/27/1993)
10/26/1993		SUMMONS issued to federal party(s) defendant BUREAU OF PRISONS, defendant U.S. PAROLE COMM. , and non-parties: U.S. Attorney and U.S. Attorney General. (pob) (Entered: 10/27/1993)
11/08/1993	3	MOTION filed by plaintiff(s) DAVID Y. MERRITT for appointment of counsel (kmk) (Entered: 11/09/1993)
11/09/1993	4	RETURN OF SERVICE/AFFIDAVIT executed upon the U.S. Attorney General on 11/1/93 (clv) (Entered: 11/10/1993)
11/09/1993	5	RETURN OF SERVICE/AFFIDAVIT executed upon the U.S. Attorney on 10/28/93 (clv) (Entered: 11/10/1993)
11/23/1993	6	RETURN OF SERVICE/AFFIDAVIT executed upon defendant BUREAU OF PRISONS on 11/8/93 via certified mail (clv) (Entered: 11/24/1993)
11/23/1993	7	RETURN OF SERVICE/AFFIDAVIT executed upon defendant U.S. PAROLE COMM. on 11/8/93 via certified mail (clv) (Entered: 11/24/1993)
11/29/1993	8	MOTION filed by defendant BUREAU OF PRISONS, defendant U.S. PAROLE COMM. to extend time to 12/13/93 to file response to the complaint (clv) (Entered: 11/30/1993)
12/13/1993	9	MOTION filed by defendant BUREAU OF PRISONS, defendant U.S. PAROLE COMM. to extend time to 12/17/93 to respond to the complaint (clv) (Entered: 12/14/1993)
12/14/1993		Text not available. (Entered: 12/14/1993)
12/14/1993	10	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 12/17/93 to respond to the complaint [9-1] by U.S. PAROLE COMM., BUREAU OF PRISONS, (N) (rew) (Entered: 12/14/1993)
12/17/1993	11	MOTION filed by defendant BUREAU OF PRISONS, defendant U.S. PAROLE COMM. to extend time to 12/20/93 to respond to the complaint (kmk) (Entered: 12/20/1993)
12/20/1993	12	MOTION filed by defendant BUREAU OF PRISONS, defendant U.S. PAROLE COMM. to extend time to 12/21/93 to file response to the complaint (clv) (Entered: 12/21/1993)
12/21/1993	13	MOTION filed by defendant BUREAU OF PRISONS, defendant U.S. PAROLE COMM. to dismiss , or in the alternative for summary judgment ; exhibits (2) (kmk) (Entered: 12/22/1993)
12/21/1993	14	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 12/20/93 to respond to the complaint [11-1] by U.S. PAROLE COMM., BUREAU OF PRISONS (N) (rew) (Entered: 12/22/1993)
12/29/1993	15	ORDER by Judge Thomas P. Jackson : granting motion to extend time nunc pro tunc to 12/21/93 to file response to the complaint [12-1] by U.S. PAROLE COMM., BUREAU OF PRISONS (N) (rew) (Entered: 01/03/1994)
01/10/1994	16	NOTICE OF FILING by defendant BUREAU OF PRISONS, defendant U.S. PAROLE COMM. of refiling and reservice of defendants' motion to dismiss or in the alternative for summary judgment. (kmk) (Entered: 01/11/1994)
01/10/1994	17	REQUEST by plaintiff(s) DAVID Y. MERRITT for complete motion (kmk) (Entered: 01/11/1994)
01/18/1994	18	REQUEST by plaintiff(s) DAVID Y. MERRITT for admissions for defendant BUREAU OF PRISONS (kmk) (Entered: 01/21/1994)

01/18/1994	19	REQUEST by plaintiff(s) DAVID Y. MERRITT for admissions for defendant U.S. PAROLE COMM. (kmk) (Entered: 01/21/1994)
01/18/1994	22	MEMORANDUM by plaintiff(s) DAVID Y. MERRITT; affidavit (1) (kmk) (Entered: 01/26/1994)
01/25/1994	20	ORDER by Judge Thomas P. Jackson,directing Clerk to appoint counsel for Plaintiff from the Civil ProBono Panel. (N) (rew) (Entered: 01/25/1994)
01/25/1994	21	MEMORANDUM by plaintiff(s) DAVID Y. MERRITT of incident reports; attachments (3) (kmk) (Entered: 01/26/1994)
01/27/1994	23	MOTION filed by plaintiff(s) DAVID Y. MERRITT for summary judgment (kmk) (Entered: 01/31/1994)
01/28/1994	24	MOTION filed by plaintiff(s) DAVID Y. MERRITT to extend time to 1/31/94 to respond. (kmk) (Entered: 01/31/1994)
01/28/1994	25	MEMORANDUM by plaintiff(s) DAVID Y. MERRITT (kmk) (Entered: 01/31/1994)
01/28/1994	26	REQUEST (third) by plaintiff(s) DAVID Y. MERRITT for admissions for defendant BUREAU OF PRISONS to K.M. Hawk. (kmk) (Entered: 01/31/1994)
02/01/1994	27	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 1/31/94 to respond. [24-1] by DAVID Y. MERRITT motion(s) due by 1/31/94 ; nunc pro tunc. (N) (jjc) (Entered: 02/02/1994)
02/02/1994	28	MOTION filed by defendant BUREAU OF PRISONS, defendant U.S. PAROLE COMM. to extend time pending appearance of plaintiff's appointed counsel and to respond to motions or discovery filed by plaintiff. (kmk) Modified on 02/23/1994 (Entered: 02/03/1994)
02/04/1994	29	ORDER by Judge Thomas P. Jackson : granting motion to extend time to respond to motions or discovery filed by plaintiff. [28-1] by U.S. PAROLE COMM., BUREAU OF PRISONS and extending time 30 days after service of appearance of plaintiffs counsel, and extending plaintiffs time until 30 days after service of appearance to respond to defendants pending motion to dismiss.(N) (rew) (Entered: 02/04/1994)
02/04/1994	30	MOTION filed by plaintiff(s) DAVID Y. MERRITT to extend time to 2/10/94 to reply to defendants' motion to dismiss (kmk) (Entered: 02/07/1994)
02/04/1994	31	MOTION filed by plaintiff(s) DAVID Y. MERRITT post-dated motion concerning transfer (kmk) (Entered: 02/07/1994)
02/08/1994	32	MOTION filed by (non-party) counsel to withdraw as pro bono attorney for DAVID Y. MERRITT pursuant to F RCP 702.1 (a)(7)(D) (FILED UNDER SEAL IN ROOM 1800) (kmk) (Entered: 02/09/1994)
02/10/1994	33	ORDER by Judge Thomas P. Jackson : granting motion to withdraw as pro bono attorney for DAVID Y. MERRITT pursuant to F RCP 702.1 (a)(7)(D) [32-1] attorney DAVID Y. MERRITT for DAVID Y. MERRITT (N) (rew) (Entered: 02/10/1994)
02/15/1994	34	RESPONSE by plaintiff(s) DAVID Y. MERRITT to defendant's motion for enlargement of time pending appearance of plaintiff's appointed counsel [#28]. (kmk) (Entered: 02/23/1994)
03/01/1994	35	MOTION filed by plaintiff(s) DAVID Y. MERRITT to confer with counsel (pob) (Entered: 03/02/1994)
03/10/1994	36	RESPONSE by defendant BUREAU OF PRISONS, defendant U.S. PAROLE COMM. to motion to confer with counsel [35-1] by DAVID Y. MERRITT (clv) (Entered: 03/14/1994)
03/16/1994	37	MOTION filed by plaintiff(s) DAVID Y. MERRITT to extend time to 4/7/94 to enter an appearance or withdraw from the appointment as counsel (clv) (Entered: 03/17/1994)
03/21/1994	38	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 4/7/94 to enter an appearance or withdraw from the appointment as counsel [37-1] by DAVID Y. MERRITT (N) (rew) (Entered: 03/22/1994)

04/07/1994	39	ATTORNEY APPEARANCE for plaintiff(s) DAVID Y. MERRITT by (kmk) (Entered: 04/08/1994)
04/07/1994	40	ATTORNEY APPEARANCE for plaintiff(s) DAVID Y. MERRITT by Alan Arnold Pemberton (kmk) (Entered: 04/08/1994)
04/11/1994	41	MEMORANDUM by plaintiff(s) DAVID Y. MERRITT of notification of retaliation by Bureau of Prisons. (kmk) (Entered: 04/12/1994)
04/11/1994	42	MEMORANDUM by plaintiff(s) DAVID Y. MERRITT regarding additional adverse affects; exhibits (2). (kmk) (Entered: 04/12/1994)
04/14/1994		SCHEDULING NOTICE: status hearing set for 9:30 4/27/94 ; (rew) (Entered: 04/14/1994)
04/25/1994	43	ATTORNEY APPEARANCE pro bono for plaintiff(s) DAVID Y. MERRITT by Kenneth P. Cohen (kmk) Modified on 06/07/1995 (Entered: 04/26/1994)
04/29/1994		STATUS HEARING before Judge Thomas P. Jackson : status hearing set for 9:30 5/31/94 ; Reporter: Marilyn Young (rew) (Entered: 04/29/1994)
05/05/1994		SCHEDULING NOTICE: status hearing set for 9:30 5/31/94 ; (rew) (Entered: 05/05/1994)
05/31/1994		STATUS HEARING before Judge Thomas P. Jackson ,Plaintiff granted leave to file amended complaint; defendant to file dispositive motion promptly. Reporter: Marilyn Young (rew) (Entered: 05/31/1994)
05/31/1994		ALL PLEADINGS IN THIS CASE ARE BEING DOCKETED AND FILED IN THIS CASE ARE BEING DOCKETED AND FILED IN CA 93-2205 AS OF 05/31/94. (kmk) (Entered: 06/02/1994)
05/31/1994	44	ORDER by Judge Thomas P. Jackson : that this case is consolidated with CA 93-2205 and CA 94-769 pursuant to Local Rule 405. (N) (kmk) Modified on 06/02/1994 (Entered: 06/02/1994)
07/21/1994	45	AMENDED COMPLAINT by plaintiff(s) DAVID Y. MERRITT in 1:93-cv-02205, [1-1] . (kmk) (Entered: 07/22/1994)
07/22/1994		SUMMONS NOT ISSUED. (kmk) (Entered: 07/22/1994)
08/04/1994	46	MOTION filed by defendant in 1:93-cv-02205 to extend time to 8/11/94 to file response to the amended complaint (clv) (Entered: 08/05/1994)
08/08/1994	47	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 8/11/94 to file response to the amended complaint [46-1] by USPC, BUREAU OF PRISONS (N) (pao) (Entered: 08/09/1994)
08/11/1994	48	MOTION filed by defendant BUREAU OF PRISONS, defendant USPC to extend time to 8/16/94 to respond to plaintiff's amended complaint. (kmk) (Entered: 08/12/1994)
08/16/1994	49	MOTION filed by defendant BUREAU OF PRISONS, defendant USPC to extend time to 8/17/94 to respond to plaintiff's amended complaint (kmk) (Entered: 08/17/1994)
08/16/1994	51	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 8/16/94 to respond to plaintiff's amended complaint. [48-1] by USPC, BUREAU OF PRISONS answer due 8/16/94 (N) (rew) (Entered: 08/18/1994)
08/17/1994	50	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 8/17/94 to respond to plaintiff's amended complaint [49-1] by USPC, BUREAU OF PRISONS , answer due 8/17/94 (N) (rew) (Entered: 08/17/1994)
08/17/1994	52	MOTION filed by defendant BUREAU OF PRISONS, defendant USPC to dismiss amended complaint complaint [45-1] ; Appearance entered for BUREAU OF PRISONS, USPC by attorney Suzanne C. Nyland. (kmk) (Entered: 08/19/1994)
08/25/1994	53	MOTION filed by plaintiff(s) DAVID Y. MERRITT to extend time to 9/30/94 to respond to the motion to dismiss (clv) (Entered: 08/26/1994)

08/31/1994	54	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 9/30/94 to respond to the motion to dismiss [53-1] by DAVID Y. MERRITT response to dispositive motions due by 9/30/94 ; (N) (rew) (Entered: 09/01/1994)
09/23/1994	55	RESPONSE by plaintiff(s) DAVID Y. MERRITT in opposition to motion to dismiss amended complaint complaint [45-1] [52-1] by USPC, BUREAU OF PRISONS . (blj) (Entered: 09/26/1994)
09/23/1994	56	MOTION filed by plaintiff(s) DAVID Y. MERRITT for oral hearing (blj) (Entered: 09/26/1994)
09/26/1994	57	NOTICE OF FILING by plaintiff(s) DAVID Y. MERRITT of corrected copy of plaintiff's opposition to defendant's motion to dismiss and request for oral hearing (clv) (Entered: 09/27/1994)
10/06/1994	58	MOTION filed by defendant BUREAU OF PRISONS, defendant USPC to extend time to 10/12/94 to reply to plaintiff's opposition to defendant's motion to dismiss or, in the alternative for summary judgment (kmk) (Entered: 10/12/1994)
10/12/1994	59	REPLY by defendant BUREAU OF PRISONS, defendant USPC to response to motion to dismiss [13-1] by USPC, BUREAU OF PRISONS (clv) (Entered: 10/14/1994)
10/21/1994	60	ORDER by Judge Thomas P. Jackson : granting motion to extend time to 10/12/94, nunc pro tunc to reply to plaintiff's opposition to defendant's motion to dismiss or, in the alternative for summary judgment [58-1] by USPC, BUREAU OF PRISONS (N) (kmk) (Entered: 10/21/1994)
05/16/1995	61	ORDER by Judge Thomas P. Jackson : granting motion to dismiss amended complaint complaint [45-1] [52-1] by USPC, BUREAU OF PRISONS ; and all other outstanding motions are denied as moot. (N) (rew) (Entered: 05/16/1995)
06/05/1995	62	NOTICE OF APPEAL by plaintiff DAVID Y. MERRITT from order [61-1], entered on: 05/16/95; IFP; Copies sent to Suzanne Nyland, and Kenneth Cohen; (submitted to Judge Jackson) (dam) Modified on 06/09/1995 (Entered: 06/07/1995)
06/07/1995		TRANSMITTED PRELIMINARY RECORD on appeal [62-1] by DAVID Y. MERRITT to U.S. Court of Appeals (dam) (Entered: 06/07/1995)
06/19/1995		USCA # 95-5171 assigned for appeal [62-1] by DAVID Y. MERRITT (clv) (Entered: 06/20/1995)
06/25/1995	63	MOTION filed by plaintiff DAVID Y. MERRITT to proceed on appeal in forma pauperis ; attachment. (tth) (Entered: 06/27/1995)
06/30/1995		ORDER by Judge Thomas P. Jackson granting motion to proceed on appeal in forma pauperis [63-1] by DAVID Y. MERRITT (fiat) (N) (dam) (Entered: 07/05/1995)
07/07/1995		USCA # 95-5171 assigned for appeal [62-1] by DAVID Y. MERRITT (tth) (Entered: 07/10/1995)
02/07/1997	64	CERTIFIED COPY of judgment filed in USCA dated 12/3/96, on appeal [62-1] , affirming the judgment of USDC . USCA # 95-5171 (cjp) (Entered: 02/07/1997)