

ACCO,(MRWx),CLOSED,DISCOVERY,MANADR

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Western Division – Los Angeles)
CIVIL DOCKET FOR CASE #: 2:19-cv-00983-PSG-MRW

ACLU of Southern California v. United States Department of
 Homeland Security et al
 Assigned to: Judge Philip S. Gutierrez
 Referred to: Magistrate Judge Michael R. Wilner
 Cause: 05:552 Freedom of Information Act

Date Filed: 02/08/2019
 Date Terminated: 06/14/2019
 Jury Demand: None
 Nature of Suit: 895 Freedom of
 Information Act
 Jurisdiction: U.S. Government Defendant

Plaintiff**ACLU of Southern California**

represented by **Neal James Gauger**
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V.

Defendant**United States Department of Homeland Security****Defendant**

**United States Immigration and
 Customs Enforcement**
*a component of the Department of
 Homeland Security*

Date Filed	#	Docket Text
02/08/2019	<u>1</u>	COMPLAINT Receipt No: 0973-23185251 – Fee: \$400, filed by Plaintiff ACLU of Southern California. (Attachments: # <u>1</u> Exhibit A to Complaint, # <u>2</u> Exhibit B to Complaint, # <u>3</u> Exhibit C to Complaint) (Attorney Neal James Gauger added to party ACLU of Southern California(pty:pla))(Gauger, Neal) (Entered: 02/08/2019)
02/08/2019	<u>2</u>	CIVIL COVER SHEET filed by Plaintiff ACLU of Southern California. (Gauger, Neal) (Entered: 02/08/2019)
02/08/2019	<u>3</u>	Request for Clerk to Issue Summons on Complaint (Attorney Civil Case Opening), <u>1</u> filed by Plaintiff ACLU of Southern California. (Gauger, Neal) (Entered: 02/08/2019)
02/08/2019	<u>4</u>	Request for Clerk to Issue Summons on Complaint (Attorney Civil Case Opening), <u>1</u> filed by Plaintiff ACLU of Southern California. (Gauger, Neal) (Entered: 02/08/2019)

02/08/2019	<u>5</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Jason P Gonzalez counsel for Plaintiff ACLU of Southern California. Adding Jason P. Gonzalez as counsel of record for ACLU of Southern California for the reason indicated in the G-123 Notice. Filed by Plaintiff ACLU of Southern California. (Attorney Jason P Gonzalez added to party ACLU of Southern California(pty:pla))(Gonzalez, Jason) (Entered: 02/08/2019)
02/11/2019	<u>6</u>	NOTICE OF ASSIGNMENT to District Judge Philip S. Gutierrez and Magistrate Judge Michael R. Wilner. (ghap) (Entered: 02/11/2019)
02/11/2019	<u>7</u>	NOTICE TO PARTIES OF COURT-DIRECTED ADR PROGRAM filed. (ghap) (Entered: 02/11/2019)
02/11/2019	<u>8</u>	30 DAY Summons Issued re Complaint (Attorney Civil Case Opening), <u>1</u> as to Defendant United States Department of Homeland Security. (ghap) (Entered: 02/11/2019)
02/11/2019	<u>9</u>	30 DAY Summons Issued re Complaint (Attorney Civil Case Opening), <u>1</u> as to Defendant United States Immigration and Customs Enforcement. (ghap) (Entered: 02/11/2019)
02/12/2019	<u>10</u>	STANDING ORDER REGARDING NEWLY ASSIGNED CASES by Judge Philip S. Gutierrez. (ji) (Entered: 02/12/2019)
02/26/2019	<u>11</u>	NOTICE OF ERRATA filed by Plaintiff ACLU of Southern California. correcting Complaint (Attorney Civil Case Opening), <u>1</u> (Gauger, Neal) (Entered: 02/26/2019)
03/15/2019	<u>12</u>	PROOF OF SERVICE Executed by Plaintiff ACLU of Southern California, upon Defendant United States Immigration and Customs Enforcement served on 2/27/2019. Service of the Summons and Complaint were NOT executed upon the United States Attorneys Office which was NOT served. The Attorney Generals Office of the United States was NOT served. The officer agency or corporation was NOT served. Service was executed in compliance with Federal Rules of Civil Procedure. Due diligence declaration NOT attached. Registered or certified mail return receipt NOT attached. Original Summons returned. (Gauger, Neal) (Entered: 03/15/2019)
03/15/2019	<u>13</u>	PROOF OF SERVICE Executed by Plaintiff ACLU of Southern California, upon Defendant Service of the Summons and Complaint were NOT executed upon the United States Attorneys Office which was NOT served. The Attorney Generals Office of the United States was NOT served. The officer agency or corporation was NOT served. Service was executed in compliance with Federal Rules of Civil Procedure. Due diligence declaration NOT attached. Registered or certified mail return receipt NOT attached. Original Summons returned. (Gauger, Neal) (Entered: 03/15/2019)
03/18/2019	<u>14</u>	PROOF OF SERVICE Executed by Plaintiff ACLU of Southern California, upon Defendant United States Department of Homeland Security served on 2/27/2019, answer due 4/29/2019. Service of the Summons and Complaint were NOT executed upon the United States Attorneys Office which was NOT served. The Attorney Generals Office of the United States was NOT served. The officer agency or corporation was NOT served. Service was executed in compliance with Federal Rules of Civil Procedure. Due diligence declaration NOT attached. Registered or certified mail return receipt NOT attached. Original Summons returned. (Gauger, Neal) (Entered: 03/18/2019)
04/15/2019	<u>15</u>	AFFIDAVIT by affiant: Nina Lew re Errata <u>11</u> , Notice of Assignment to United States Judges(CV-18) - optional html form <u>6</u> , Notice to Parties of Court-Directed ADR Program (ADR-8) - optional html form <u>7</u> , Initial Order upon Filing of Complaint - form only <u>10</u> , Summons Issued (Attorney Civil Case Opening) <u>8</u> , Complaint (Attorney Civil Case Opening), <u>1</u> , Notice of Appearance or Withdrawal of Counsel (G-123), <u>5</u> , Civil Cover Sheet (CV-71) <u>2 of Due Diligence</u> filed by Plaintiff ACLU of Southern California (Gauger, Neal) (Entered: 04/15/2019)
05/03/2019	<u>16</u>	ORDER TO SHOW CAUSE RE LACK OF PROSECUTION by Judge Philip S. Gutierrez. Response to Order to Show Cause due by 5/17/2019. (wm) (Entered: 05/03/2019)
05/17/2019	<u>17</u>	REQUEST for Clerk to Enter Default against Defendants All Defendants filed by Plaintiff ACLU of Southern California. (Gauger, Neal) (Entered: 05/17/2019)

05/17/2019	<u>18</u>	DECLARATION of Neal J. Gauger re REQUEST for Clerk to Enter Default against Defendants All Defendants <u>17</u> filed by Plaintiff ACLU of Southern California. (Attachments: # <u>1</u> Exhibit A to Declaration)(Gauger, Neal) (Entered: 05/17/2019)
05/22/2019	<u>19</u>	NOTICE OF DEFICIENCY Re: REQUEST for Clerk to Enter Default against Defendants <u>17</u> . The Clerk cannot enter the requested relief as: Request for Entry of Default has been forwarded to the assigned Judge. (bm) (Entered: 05/22/2019)
05/28/2019	<u>20</u>	MINUTES (IN CHAMBERS) The Court DENIES Plaintiff's request for entry of default by Judge Philip S. Gutierrez: denying <u>17</u> REQUEST for Clerk to Enter Default: Accordingly, the Court DENIES Plaintiff's request. The Court further ORDERS Plaintiff to show cause in writing no later than June 11, 2019 why this case should not be dismissed for failure to serve within ninety days under Federal Rule of Civil Procedure 4(m). Failure to respond will result in the case being dismissed without prejudice. (see document for further details) (bm) (Entered: 05/28/2019)
06/11/2019	<u>21</u>	RESPONSE filed by Plaintiff ACLU of Southern Californiato Order on Motion for Clerk to Enter Default,, <u>20</u> (Gauger, Neal) (Entered: 06/11/2019)
06/14/2019	<u>22</u>	MINUTE ORDER IN CHAMBERS Order dismissing the case by Judge Philip S. Gutierrez: On May 28, 2019, the Court ordered Plaintiff ACLU of Southern California ("Plaintiff") to show cause why the case should not be dismissed for failure to serve within ninety days under Federal Rule of Civil Procedure 4(m). See Dkt. no. 20. Plaintiff has filed a timely response, requesting the Court to dismiss the complaint without prejudice so that it can file a new pleading. See Dkt. no. 21. Accordingly, the Court DISMISSES the case without prejudice. This order closes the case. (Made JS-6. Case Terminated.) (bm) (Entered: 06/14/2019)