

**U.S. District Court  
 District of Columbia (Washington, DC)  
 CIVIL DOCKET FOR CASE #: 1:19-cv-01404-BAH**

WATTLETON V. BERRYHILL  
 Assigned to: Chief Judge Beryl A. Howell  
 Cases: [1:19-cv-01893-BAH](#)  
           [1:19-cv-01402-BAH](#)  
 Cause: 05:552 Freedom of Information Act

Date Filed: 05/14/2019  
 Date Terminated: 03/04/2020  
 Jury Demand: None  
 Nature of Suit: 550 Prisoner Petition: Civil Rights (Other)  
 Jurisdiction: Federal Question

**Plaintiff**

**DAVID EARL WATTLETON**

represented by **DAVID EARL WATTLETON**  
 R#50260-019  
 ROCHESTER  
 FEDERAL MEDICAL CENTER  
 Inmate Mail/Parcels  
 P.O. BOX 4000  
 ROCHESTER, MN 55903  
 PRO SE

V.

**Defendant**

**NANCY A. BERRYHILL**  
*Acting Commissioner of Social Security*

represented by **William J. Chang**  
 U.S. ATTORNEY'S OFFICE FOR THE  
 DISTRICT OF COLUMBIA  
 555 4th St, NW  
 Washington, DC 20530  
 (202) 252-2510  
 Email: [william.chang2@usdoj.gov](mailto:william.chang2@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Joshua L. Rogers**  
 U.S. ATTORNEY'S OFFICE  
 150 Fayetteville St.  
 Raleigh, NC 27601  
 202-856-4465  
 Email: [joshua.rogers3@usdoj.gov](mailto:joshua.rogers3@usdoj.gov)  
**TERMINATED: 11/27/2019**

V.

**Interested Party**

**SOCIAL SECURITY  
 ADMINISTRATION**

Date Filed	#	Docket Text
05/14/2019		<b>Initiating Pleading &amp; IFP Application Received on 05/14/2019.</b> A copy of the docket sheet has been mailed to the address of record for the pro se party. (zsb) (Entered: 05/22/2019)
05/14/2019	<u>1</u>	COMPLAINT against NANCY A. BERRYHILL filed by DAVID EARL WATTLETON.(zsb). (Entered: 05/22/2019)
05/14/2019	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by DAVID EARL WATTLETON (zsb) (Entered: 05/22/2019)

06/10/2019	<u>3</u>	PRO SE ORDER directing within 30 days of this Order, unless an extension of time is granted, plaintiff to provide a six month trust fund prisoner account statement and failure to comply will result in dismissal of case. Plaintiff shall provide the requested information specific within this order. Pro Se party has been notified by first class mail. Signed by Judge James E. Boasberg on 06/07/2019. (zeg). (Entered: 06/11/2019)
06/24/2019	<u>4</u>	MOTION for Leave to Proceed in forma pauperis by DAVID EARL WATTLETON (zmc) (Entered: 06/25/2019)
06/24/2019	<u>5</u>	PRISONER TRUST FUND ACCOUNT STATEMENT for period of six months by DAVID EARL WATTLETON (zmc) (Entered: 06/25/2019)
07/10/2019	<u>6</u>	ORDER granting <u>2</u> Motion for Leave to Proceed in forma pauperis; granting <u>4</u> Motion for Leave to Proceed in forma pauperis (see order for further details). Signed by Judge Amy Berman Jackson on 7/8/2019. (zeg) (Entered: 07/10/2019)
07/10/2019		Case Reassigned to Chief Judge Beryl A. Howell. Unassigned is no longer assigned to the case. (zeg) (Entered: 07/10/2019)
07/10/2019	<u>7</u>	SUMMONS (3) Issued as to NANCY A. BERRYHILL, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zeg) Modified on 7/15/2019 (zeg). (Entered: 07/10/2019)
07/31/2019	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. NANCY A. BERRYHILL served on 7/25/2019 (zrdj) (Entered: 08/01/2019)
08/02/2019	<u>9</u>	NOTICE of Appearance by Joshua L. Rogers on behalf of NANCY A. BERRYHILL, SOCIAL SECURITY ADMINISTRATION (Rogers, Joshua) (Entered: 08/02/2019)
08/05/2019	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/26/2019. Answer due for ALL FEDERAL DEFENDANTS by 8/25/2019. (zrdj) (Entered: 08/06/2019)
08/12/2019	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 8/9/2019. (zrdj) (Entered: 08/13/2019)
08/23/2019	<u>12</u>	MOTION for Summary Judgment by SOCIAL SECURITY ADMINISTRATION (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Exhibit A, # <u>4</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 08/23/2019)
08/29/2019	<u>13</u>	Order advising plaintiff to respond by 9/30/2019 to <u>12</u> Defendant's for Summary Judgment. Signed by Chief Judge Beryl A. Howell on 8/29/19. (ms) (Entered: 08/29/2019)
08/29/2019		Set/Reset Deadlines: Plaintiff's response to Defendant's Motion for Summary Judgment due by 9/30/2019. (hmc) (Entered: 08/29/2019)
09/12/2019	<u>14</u>	Memorandum in opposition to re <u>12</u> MOTION for Summary Judgment filed by DAVID EARL WATTLETON. (zrdj) (Entered: 09/16/2019)
09/23/2019	<u>15</u>	MOTION for Extension of Time to File Response/Reply as to <u>12</u> MOTION for Summary Judgment by NANCY A. BERRYHILL (Rogers, Joshua) (Entered: 09/23/2019)
10/10/2019	<u>16</u>	MOTION for Extension of Time to File Response/Reply by NANCY A. BERRYHILL, SOCIAL SECURITY ADMINISTRATION (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 10/10/2019)
10/18/2019		MINUTE ORDER: It is hereby ORDERED that <u>15</u> , <u>16</u> , Defendant's Motions for Extension of Time to File Reply to Plaintiff's Opposition to Summary Judgment are GRANTED. It is further ORDERED that Defendant shall file its Reply by November 4, 2019. Signed by Chief Judge Beryl A. Howell on 10/18/2019. (dm) (Entered: 10/18/2019)
10/18/2019		Set/Reset Deadlines: Defendant's reply to plaintiff's opposition to motion for summary judgment due by 11/4/2019. (tg) (Entered: 10/18/2019)

11/04/2019	<u>17</u>	REPLY to opposition to motion re <u>12</u> MOTION for Summary Judgment filed by NANCY A. BERRYHILL, SOCIAL SECURITY ADMINISTRATION. (Rogers, Joshua) (Entered: 11/04/2019)
11/05/2019	<u>18</u>	NOTICE by NANCY A. BERRYHILL, SOCIAL SECURITY ADMINISTRATION (Attachments: # <u>1</u> Declaration)(Rogers, Joshua) (Entered: 11/05/2019)
11/18/2019	<u>19</u>	MOTION for Leave to File Surreply by DAVID EARL WATTLETON (zrdj) (Entered: 11/20/2019)
11/27/2019	<u>20</u>	NOTICE OF SUBSTITUTION OF COUNSEL by William J. Chang on behalf of NANCY A. BERRYHILL Substituting for attorney JOSHUA ROGERS (Chang, William) (Entered: 11/27/2019)
11/27/2019	<u>21</u>	RESPONSE re <u>19</u> MOTION for Leave to File filed by NANCY A. BERRYHILL. (Chang, William) (Entered: 11/27/2019)
01/15/2020		MINUTE ORDER: It is hereby ORDERED that <u>19</u> Plaintiff's Motion for Leave to File Surreply is GRANTED and the Court will consider Plaintiff's Surreply, which is attached to the Motion. Signed by Chief Judge Beryl A. Howell on 1/15/2020. (dm) (Entered: 01/15/2020)
03/03/2020	<u>22</u>	MEMORANDUM OPINION GRANTING the defendant's <u>12</u> motion for summary judgment as to the FOIA claim related to the plaintiff's February 2019 FOIA request. To the extent that the plaintiff has also challenged SSA's processing of his April 2019 Privacy Act Request, this claim is dismissed, without prejudice. Signed by Chief Judge Beryl A. Howell on 3/3/2020. (dm) (Entered: 03/03/2020)
03/03/2020	<u>23</u>	ORDER GRANTING the defendant's motion for summary judgment <u>12</u> as to the plaintiff's FOIA claim and further DISMISSING without prejudice the plaintiff's Privacy Act claim. See order and accompanying memorandum opinion <u>22</u> for details. Signed by Chief Judge Beryl A. Howell on 3/3/2020. (dm) (Entered: 03/03/2020)