

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:99-cv-02423-EGS**

DANIEL v. DOJ, et al
Assigned to: Judge Emmet G. Sullivan
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 09/14/1999
Date Terminated: 03/30/2001
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

BUDDY S. DANIEL

represented by **BUDDY S. DANIEL**
R 15028-074
TALLADEGA FEDERAL
CORRECTIONAL INSTITUTION
565 East Renfroe Road
P.O. Box PMB 1000
Talladega, AL 35160
PRO SE

V.

Defendant

U.S. DEPARTMENT OF JUSTICE

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Defendant

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Defendant

**ASSISTANT U.S. ATTORNEY
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Defendant

**FEDERAL BUREAU OF
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Defendant

**BARRY W. MAWN
FBI**

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Defendant

**DRUG ENFORCEMENT
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Defendant

GARFIELD JR. HAMMONDS

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Defendant

JIMMIE DOTSON
 Chief Narcotic Division
 TERMINATED: 09/26/2000

represented by **Aileen Meyer**
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Date Filed	#	Docket Text
09/14/1999	1	COMPLAINT filed by plaintiff BUDDY S. DANIEL; attachments (st) (Entered: 09/16/1999)
09/14/1999		SUMMONS NOT ISSUED. (st) (Entered: 09/16/1999)
09/14/1999	2	APPLICATION by plaintiff BUDDY S. DANIEL to proceed in forma pauperis (st) (Entered: 09/16/1999)
09/14/1999	3	ORDER by Judge Aubrey E. Robinson : directing prisoner plaintiff to provide a trust fund statement to the court by 10/14/99 for BUDDY S. DANIEL . (N) (st) (Entered: 09/16/1999)

10/18/1999	4	TRUST FUND ACCOUNT filed by plaintiff BUDDY S. DANIEL pursuant to order [3-1], [3-2] . (glb) (Entered: 10/28/1999)
10/28/1999	5	ORDER by Judge Aubrey E. Robinson : granting motion to proceed in forma pauperis [2-1] by BUDDY S. DANIEL directing that monthly payments be made from the prisoner account of BUDDY S. DANIEL . (N) (glb) (Entered: 10/28/1999)
10/28/1999		CASE REASSIGNED to Judge Emmet G. Sullivan (tw) (Entered: 10/29/1999)
11/01/1999		SUMMONS (11) issued for federal defendant DOJ, federal defendant EXECUTIVE OFFICE, federal defendant ASST U S ATTORNEY, federal defendant DOJ, federal defendant FBI, federal defendant BARRY W. MAWN, federal defendant DEA, federal defendant GARFIELD JR. HAMMONDS, federal defendant JIMMIE DOTSON (tw) (Entered: 11/02/1999)
11/04/1999	6	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 11/4/99 (bjsp) (Entered: 11/08/1999)
11/04/1999	7	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 11/4/99 (bjsp) (Entered: 11/08/1999)
11/04/1999	8	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 11/4/99 (bjsp) (Entered: 11/08/1999)
11/12/1999	9	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 11/8/99 upon federal defendant EXECUTIVE OFFICE (st) (Entered: 11/15/1999)
11/12/1999	10	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 11/8/99 upon federal defendant DOJ (st) (Entered: 11/15/1999)
11/12/1999	11	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 11/8/99 (st) (Entered: 11/15/1999)
11/12/1999	12	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 11/12/99 upon federal defendant DEA (st) (Entered: 11/15/1999)
11/29/1999	13	MOTION filed by plaintiff BUDDY S. DANIEL for Vaughn Index (tw) (Entered: 12/01/1999)
11/30/1999	14	ATTORNEY APPEARANCE for federal defendant DOJ, federal defendant EXECUTIVE OFFICE, federal defendant ASST U S ATTORNEY, federal defendant DOJ, federal defendant FBI, federal defendant BARRY W. MAWN, federal defendant DEA, federal defendant GARFIELD JR. HAMMONDS, federal defendant JIMMIE DOTSON by David Lloyd Smith (bjsp) (Entered: 12/03/1999)
11/30/1999	15	MOTION filed by federal defendant DOJ, federal defendant EXECUTIVE OFFICE, federal defendant ASST U S ATTORNEY, federal defendant DOJ, federal defendant FBI, federal defendant BARRY W. MAWN, federal defendant DEA, federal defendant GARFIELD JR. HAMMONDS, federal defendant JIMMIE DOTSON to extend time to 1/6/2000 to answer complaint [1-1] (bjsp) (Entered: 12/03/1999)
11/30/1999	16	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 11/8/99 (bjsp) (Entered: 12/03/1999)
11/30/1999	17	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 11/8/99 upon federal defendant JIMMIE DOTSON (bjsp) (Entered: 12/03/1999)
11/30/1999	18	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 11/8/99 upon federal defendant BARRY W. MAWN (bjsp) (Entered: 12/03/1999)
12/02/1999	19	RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 11/29/99 upon federal defendant DOJ, federal defendant FBI (tw) (Entered: 12/04/1999)
12/02/1999	20	ORDER by Judge Emmet G. Sullivan : granting motion to extend time to 1/6/2000 to answer complaint [1-1] [15-1] by federal defendantsssssss ; Answer extended to 1/6/00 for JIMMIE DOTSON, for GARFIELD JR. HAMMONDS, for DEA, for BARRY W. MAWN, for FBI, for DOJ, for ASST U S ATTORNEY, for

		EXECUTIVE OFFICE, for DOJ (N) (clv) (Entered: 12/06/1999)
12/08/1999	21	MOTION filed by federal defendant JIMMIE DOTSON for Phillip A. Noblett and Lawrence W. Kelly to appear pro hac vice (Winthrop, Stimson, Putnam & Roberts, 1133 Connecticut Avenue, NW, Washington, DC 20036) (tth) (Entered: 12/09/1999)
12/08/1999	22	MOTION filed by federal defendant JIMMIE DOTSON to dismiss as to federal defendant JIMMIE DOTSON and Narcotics Division (Gary Lomenick) of the City of Chattanooga, Tennessee (tth) (Entered: 12/09/1999)
12/20/1999	23	ORDER by Judge Emmet G. Sullivan : granting motion for Phillip A. Noblett and Lawrence W. Kelly to appear pro hac vice (Winthrop, Stimson, Putnam & Roberts, 1133 Connecticut Avenue, NW, Washington, DC 20036) [21-1] by JIMMIE DOTSON (N) (clv) (Entered: 12/20/1999)
12/20/1999	24	ORDER by Judge Emmet G. Sullivan : response to dispositive motions due 1/18/00 ; (N) (clv) (Entered: 12/20/1999)
12/28/1999	25	RESPONSE (ANSWER) by plaintiff BUDDY S. DANIEL to motion to dismiss as to federal defendant JIMMIE DOTSON and Narcotics Division (Gary Lomenick) of the City of Chattanooga, Tennessee [22-1] by JIMMIE DOTSON (tth) (Entered: 01/06/2000)
01/06/2000	26	ANSWER TO COMPLAINT [1-1] by federal defendant DOJ . (tth) (Entered: 01/07/2000)
01/27/2000	27	RESPONSE by plaintiff BUDDY S. DANIEL to defendant's answer [26-1] by DOJ (tth) (Entered: 02/01/2000)
03/09/2000	28	MOTION (RENEWED) filed by plaintiff BUDDY S. DANIEL for vaughn Index (tth) (Entered: 03/10/2000)
05/05/2000	<u>29</u>	ORDER by Judge Emmet G. Sullivan : that the Department of Justice defendants shall have 45 days from the date of this order within which to file dispositive motion, or in the alternative, to file a report setting forth the schedule according to which these defendants will complete production of all non-privileged documents to plaintiff and a vaughn index for any withheld documents; denying motion for vaughn Index [28-1] by BUDDY S. DANIEL, denying motion for Vaughn Index [13-1] by BUDDY S. DANIEL (N) (adc) (Entered: 05/05/2000)
05/08/2000	30	SUBSTITUTION OF COUNSEL for federal defendants , substituting Scott Sutherland Harris for attorney David Lloyd Smith for GARFIELD JR. HAMMONDS, attorney David Lloyd Smith for DEA, attorney David Lloyd Smith for BARRY W. MAWN, attorney David Lloyd Smith for attorney David Lloyd Smith for DOJ, attorney David Lloyd Smith for ASST U S ATTORNEY, attorney David Lloyd Smith for EXECUTIVE OFFICE, attorney David L. Smith for DOJ, attorney David Lloyd Smith for DOJ, attorney David Lloyd Smith for JIMMIE DOTSON (tw) (Entered: 05/09/2000)
06/20/2000	31	RESPONSE by federal defendants to order [29-1] (tb) (Entered: 06/21/2000)
07/05/2000	32	MOTION filed by federal defendant to extend time to 8/4/00 within which to submit a motion for summary judgment in this case. (tw) (Entered: 07/06/2000)
07/05/2000	33	NOTICE OF FILING by federal defendant DOJ of declaration of Dale K. Hall. (tw) (Entered: 07/06/2000)
07/05/2000	34	NOTICE OF FILING by federal defendant DOJ of the declaration of Scott A. Hodes. (tw) (Entered: 07/06/2000)
07/05/2000	35	NOTICE OF FILING by federal defendant DOJ of the declaration of Linda Joachim. (tw) (Entered: 07/06/2000)
07/05/2000	36	NOTICE OF FILING by federal defendant DOJ of the declaration of Leila I. Wassom. (tw) (Entered: 07/06/2000)
07/07/2000	37	ORDER by Judge Emmet G. Sullivan : granting motion to extend time to 8/4/00 within which to submit a motion for summary judgment in this case. [32-1] by

		federal defendantssssssss motion for summary judgment due by 8/4/00 ; (N) (clv) (Entered: 07/07/2000)
08/04/2000	38	MOTION filed by federal defendants to extend time to 8/11/00 within which to submit a motion for summary judgment. (td) (Entered: 08/07/2000)
08/08/2000	39	ORDER by Judge Emmet G. Sullivan : granting motion to extend time to 8/11/00 within which to submit a motion for summary judgment. [38-1] by federal defendants motion for summary judgment due by 8/11/00 ; (N) (clv) (Entered: 08/08/2000)
08/11/2000	40	NOTICE OF FILING DECLARATION of John Boseker by federal defendant DOJ (tb) (Entered: 08/14/2000)
08/11/2000	41	MOTION filed by federal defendant to extend time to 8/22/00 to file motion for summary judgment (tb) (Entered: 08/14/2000)
08/15/2000	42	ORDER by Judge Emmet G. Sullivan : granting motion to extend time to 8/22/00 to file motion for summary judgment [41-1] by federal defendantssssssss motion for summary judgment due by 8/22/00 ; (N) (clv) (Entered: 08/15/2000)
08/22/2000	43	MOTION filed by federal defendant for summary judgment (dcn) (Entered: 08/24/2000)
08/28/2000	<u>44</u>	ORDER by Judge Emmet G. Sullivan : that plaintiff shall respond to the defendant's motion for summary judgment on or before 10/16/00 (N) (adc) (Entered: 08/28/2000)
09/06/2000	45	MOTION filed by plaintiff BUDDY S. DANIEL to extend time to 10/22/00 to file traverse to defendant's motion for summary judgment (tb) (Entered: 09/10/2000)
09/20/2000	46	NOTICE OF FILING by plaintiff BUDDY S. DANIEL of a letter sent to the plaintiff by defendants and a letter sent to the defendants by plaintiff.; attachments (2) (dam) (Entered: 09/21/2000)
09/21/2000	47	ORDER by Judge Emmet G. Sullivan : granting motion to extend time to 10/22/00 to file traverse to defendant's motion for summary judgment [45-1] by BUDDY S. DANIEL (N) (clv) (Entered: 09/21/2000)
09/26/2000	48	MEMORANDUM OPINION by Judge Emmet G. Sullivan (N) (clv) (Entered: 09/26/2000)
09/26/2000	49	ORDER by Judge Emmet G. Sullivan : granting motion to dismiss as to federal defendant JIMMIE DOTSON and Narcotics Division (Gary Lomenick) of the City of Chattanooga, Tennessee [22-1] by JIMMIE DOTSON (N) (clv) (Entered: 09/26/2000)
10/14/2000	50	NOTICE OF INTERLOCUTORY APPEAL by plaintiff BUDDY S. DANIEL from order [49-1] , entered on: 9/26/00. IFP no fees; copy mailed to parties. (td) (Entered: 10/14/2000)
10/14/2000		TRANSMITTED PRELIMINARY RECORD on appeal [50-1] by BUDDY S. DANIEL to U.S. Court of Appeals (td) (Entered: 10/14/2000)
10/17/2000	51	MOTION filed by plaintiff BUDDY S. DANIEL to compel specific performance ; exhibit (1) (jdm) Modified on 10/19/2000 (Entered: 10/18/2000)
10/25/2000		USCA # 00-5369 assigned for appeal [50-1] by BUDDY S. DANIEL (td) (Entered: 10/27/2000)
10/31/2000	52	RESPONSE by federal defendants to motion to compel specific performance [51-1] by BUDDY S. DANIEL; exhibit (1) (aet) Modified on 11/02/2000 (Entered: 11/02/2000)
11/06/2000	<u>53</u>	ORDER by Judge Emmet G. Sullivan: denying motion to compel specific performance [51-1] by BUDDY S. DANIEL (N) (dam) (Entered: 11/06/2000)
11/20/2000	54	RESPONSE by plaintiff BUDDY S. DANIEL to motion for summary judgment [43-1] by federal defendants; exhibits (1) (aet) (Entered: 11/21/2000)

03/07/2001	55	CERTIFIED COPY of Order filed in USCA dated 1/11/01, referencing appeal [50-1] , dismissing appeal . USCA # 00-5369 (bcs) (Entered: 03/09/2001)
03/30/2001	<u>56</u>	MEMORANDUM OPINION by Judge Emmet G. Sullivan (N) (clv) (Entered: 03/30/2001)
03/30/2001	57	ORDER by Judge Emmet G. Sullivan : granting motion for summary judgment [43-1] by federal defendants; case dismissed with prejudice; (N) (clv) (Entered: 03/30/2001)
04/10/2001	58	NOTICE OF APPEAL by plaintiff BUDDY S. DANIEL from order [57-1] , entered on: 3/30/01. IFP no fees; Copy mailed to parties. (td) (Entered: 04/17/2001)
04/17/2001		TRANSMITTED PRELIMINARY RECORD on appeal [58-1] by BUDDY S. DANIEL to U.S. Court of Appeals (td) (Entered: 04/17/2001)
04/24/2001		USCA # 01-5119 assigned for appeal [58-1] by BUDDY S. DANIEL (td) (Entered: 04/25/2001)
08/29/2001	59	COPY of Order filed in USCA dated 8/28/01, referencing appeal [58-1] , directing partial filing fee. USCA # 01-5119 (cjp) (Entered: 08/29/2001)
08/29/2001	60	CERTIFIED COPY of order filed in USCA dated 8/28/01, on appeal [58-1] , affirming the judgment of USDC . USCA # 01-5119 (cjp) (Entered: 08/29/2001)
10/25/2001	61	CERTIFIED COPY of order filed in USCA dated 08/28/01, on appeal [58-1] , affirming the judgment of USDC . USCA # 01-5119 (mmh) (Entered: 10/26/2001)