

U.S. District Court
Southern District of Illinois (East St. Louis)
CIVIL DOCKET FOR CASE #: 3:17-cv-00611-DRH-RJD

Cox v. Executive Office of US Attorneys et al
Assigned to: Judge David R. Herndon
Referred to: Magistrate Judge Reona J. Daly
Cause: 05:552 Freedom of Information Act

Date Filed: 06/09/2017
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Date Filed	#	Docket Text
06/09/2017	<u>1</u>	Notice of Case Opening. Judge David R. Herndon and Magistrate Judge Reona J. Daly assigned. All future documents must bear case number 17-611-DRH-RJD. If the parties consent to Magistrate Judge assignment, the consent form with instruction is attached for your convenience. Refer to the pro se litigant guide, found on the ILSD website, for further information. (kdb) (Entered: 06/09/2017)
06/09/2017	<u>2</u>	COMPLAINT against Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, and Federal Bureau of Investigation filed by Francis Schaeffer Cox.(kdb) (Entered: 06/09/2017)
06/14/2017		Filing fee: \$ 401.23, receipt number 44625007963 (kdb) (Entered: 06/14/2017)
09/13/2017	<u>3</u>	NOTICE OF IMPENDING DISMISSAL for failure to effect service against defendants. Action by plaintiff due by 10/13/2017. (arf) (Entered: 09/13/2017)
09/29/2017	<u>4</u>	MOTION for Extension of Time for Service Pursuant to FED.R.CIV.P. 4(c)(3), (m) pursuant to doc <u>3</u> and MOTION for Service of Process at Government Expense by Francis Schaeffer Cox. (kdb) (Entered: 09/29/2017)
11/15/2017	<u>5</u>	ORDER granting <u>4</u> Motion for Extension of Time; granting <u>4</u> Motion for Service of Process at Government Expense. The Clerk is DIRECTED to mail plaintiff three blank USM-285 forms. Plaintiff shall complete and return those forms to the Clerk no later than January 2, 2018, at which time the Clerk will issue summons. See Order for further details. Signed by Judge David R. Herndon on 11/15/2017. (lmp) (Entered: 11/15/2017)
12/06/2017	<u>6</u>	Summons Issued as to Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, Federal Bureau of Investigation. (trb) (Entered: 12/06/2017)
01/04/2018	<u>7</u>	ORDER: The Clerk of Court is DIRECTED to complete, on Plaintiffs behalf, a summons for service of process on the United States; the Clerk shall issue the completed summons. Pursuant to Federal Rule of Civil Procedure 4(i), the Clerk shall (1) personally deliver to or send by registered or certified mail addressed to the civil-process clerk at the office of the United States Attorney for the Southern District of Illinois a copy of the summons, the complaint, and this Memorandum and Order; and (2) send by registered or certified mail to the Attorney General of the United States at Washington, D.C., a copy of the summons, the complaint, and this Memorandum and Order. Signed by Judge David R. Herndon on 1/4/2018. (klh)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 01/04/2018)
01/05/2018	<u>8</u>	Summons Issued as to USA.(trb) (Entered: 01/05/2018)
01/12/2018	<u>9</u>	RETURN OF SERVICE EXECUTED 01/9/18. (kdb) (Entered: 01/12/2018)
01/16/2018	<u>10</u>	RETURN OF SERVICE EXECUTED on 01/08/18. (kdb) (Entered: 01/16/2018)
01/18/2018	<u>11</u>	STRICKEN SUMMONS Returned Executed Bureau of Alcohol, Tobacco, and Firearms served on 12/20/2017, answer due 1/10/2018; Executive Office of US Attorneys served on 12/20/2017, answer due 1/10/2018; Federal Bureau of Investigation served on 12/18/2017, answer due 1/8/2018. (kdb) Modified on 1/19/2018 (kdb). (Entered: 01/18/2018)

01/19/2018	<u>12</u>	NOTICE STRIKING ELECTRONICALLY FILED DOCUMENTS striking <u>11</u> Summons Returned Executed,. Docket Clerk Error. Summons will be refiled. (kdb)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 01/19/2018)
01/19/2018	<u>13</u>	SUMMONS Returned Executed Bureau of Alcohol, Tobacco, and Firearms served on 12/20/2017, answer due 2/20/2018; Executive Office of US Attorneys served on 12/20/2017, answer due 2/20/2018; Federal Bureau of Investigation served on 12/18/2017, answer due 2/16/2018. (kdb) (Entered: 01/19/2018)
02/06/2018	<u>14</u>	NOTICE of Appearance by Nicholas J Biersbach on behalf of Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, Federal Bureau of Investigation (Biersbach, Nicholas) (Entered: 02/06/2018)
02/06/2018	<u>15</u>	ANSWER to <u>2</u> Complaint <i>and Affirmative Defenses</i> by Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, Federal Bureau of Investigation.(Biersbach, Nicholas) (Entered: 02/06/2018)
02/06/2018	<u>16</u>	WITHDRAWN: MOTION for Briefing Schedule and Other Relief by Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, Federal Bureau of Investigation. (Biersbach, Nicholas) Modified on 2/23/2018 (trb). (Entered: 02/06/2018)
02/06/2018	<u>17</u>	CJRA TRACK A assigned: Bench Trial set for presumptive trial month December, 2018, in East St. Louis Courthouse before Judge David R. Herndon. (Attachments: # <u>1</u> Consent to Magistrate Judge)(arf) (Entered: 02/06/2018)
02/12/2018	<u>18</u>	MOTION for Leave to Amend the Complaint by Francis Schaeffer Cox. (kdb) (Entered: 02/12/2018)
02/15/2018	<u>19</u>	MOTION to Withdraw <u>16</u> MOTION for Briefing Schedule and Other Relief by Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, Federal Bureau of Investigation. (Biersbach, Nicholas) (Entered: 02/15/2018)
02/16/2018	<u>20</u>	MOTION for Partial Summary Judgment on Counts One and Three of the Operative Complaint by Francis Schaeffer Cox. Responses due by 3/22/2018 (kdb) (Entered: 02/16/2018)
02/22/2018	<u>21</u>	ORDER GRANTING <u>18</u> MOTION to Amend/Correct filed by Francis Schaeffer Cox. The Clerk of Court is DIRECTED to file Plaintiff's proposed amended complaint as his First Amended Complaint. Signed by Magistrate Judge Reona J. Daly on 2/22/2018. (ely) (Entered: 02/22/2018)
02/22/2018	<u>22</u>	ORDER GRANTING <u>19</u> MOTION to Withdraw <u>16</u> MOTION for Briefing Schedule and Other Relief filed by Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, and Federal Bureau of Investigation. Defendants' Motion at <u>16</u> is WITHDRAWN. Signed by Magistrate Judge Reona J. Daly on 2/22/2018. (ely)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 02/22/2018)
02/23/2018	<u>23</u>	FIRST AMENDED COMPLAINT against All Defendants, filed by Francis Schaeffer Cox.(trb) (Entered: 02/23/2018)
02/23/2018	<u>24</u>	ORDER denying as moot <u>20</u> Motion for Summary Judgment. In light of plaintiff's <u>23</u> first amended complaint, the motion for summary judgment is denied as moot. Signed by Judge David R. Herndon on 2/23/2018. (imp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 02/23/2018)
02/28/2018	<u>25</u>	RESPONSE to <u>16</u> Motion for Miscellaneous Relief filed by Francis Schaeffer Cox. (jaj) (Entered: 02/28/2018)
03/08/2018	<u>26</u>	ANSWER to <u>23</u> Amended Complaint by Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, Federal Bureau of Investigation.(Biersbach, Nicholas) (Entered: 03/08/2018)
03/08/2018	<u>27</u>	MOTION for Briefing Schedule and Other Relief by Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, Federal Bureau of Investigation. (Biersbach, Nicholas) (Entered: 03/08/2018)

03/08/2018	<u>28</u>	NOTICE by Federal Bureau of Investigation of <i>Release of Records to Plaintiff</i> (Attachments: # <u>1</u> Exhibit A)(Biersbach, Nicholas) (Entered: 03/08/2018)
03/26/2018	<u>29</u>	RESPONSE to Motion re <u>27</u> MOTION for Briefing Schedule and Other Relief filed by Francis Schaeffer Cox. (kdb) (Entered: 03/26/2018)
03/26/2018	<u>30</u>	FIRST MOTION for Partial Summary Judgment by Francis Schaeffer Cox. Responses due by 4/30/2018 (kdb) (Entered: 03/26/2018)
03/26/2018	<u>31</u>	First Sworn Declaration of Francis Schaeffer Cox. (kdb) (Entered: 03/26/2018)
03/26/2018	<u>32</u>	REPLY to Response to Motion re <u>27</u> MOTION for Briefing Schedule and Other Relief filed by Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, Federal Bureau of Investigation. (Biersbach, Nicholas) (Entered: 03/26/2018)
03/29/2018	<u>33</u>	ORDER GRANTING <u>27</u> MOTION for Briefing Schedule and Other Relief filed by Bureau of Alcohol, Tobacco, and Firearms, Executive Office of US Attorneys, and Federal Bureau of Investigation. SCHEDULE: Defendant FBI complete release of records to Plaintiff by June 29, 2018. Motions for Summary Judgment are due ON August 10, 2018 . Defendants' Response to Plaintiff's First Motion for Partial Summary Judgment (Doc. 30) is STAYED until after all Motions for Summary Judgment are filed on August 10, 2018. Signed by Magistrate Judge Reona J. Daly on 3/29/2018. (ely) (Entered: 03/29/2018)
03/29/2018		Response Deadline for Motion for Partial Summary Judgment terminated. (ely) (Entered: 03/29/2018)
04/05/2018	<u>34</u>	NOTICE by Federal Bureau of Investigation of <i>Second Release of Records to Plaintiff</i> (Attachments: # <u>1</u> Exhibit A)(Biersbach, Nicholas) (Entered: 04/05/2018)
05/03/2018	<u>35</u>	NOTICE by Federal Bureau of Investigation of <i>Third Release of Records to Plaintiff</i> (Attachments: # <u>1</u> Exhibit A)(Biersbach, Nicholas) (Entered: 05/03/2018)
06/01/2018	<u>36</u>	NOTICE of Change of Address by Francis Schaeffer Cox (tkm) (Entered: 06/04/2018)
06/08/2018	<u>37</u>	NOTICE by Federal Bureau of Investigation of <i>Fourth Release of Records to Plaintiff</i> (Attachments: # <u>1</u> Exhibit A)(Biersbach, Nicholas) (Entered: 06/08/2018)
06/08/2018	<u>38</u>	MOTION for Extension of Time of <i>Records Release and Partial Summary Judgment Motion Deadlines Regarding Plaintiff's FOI/PA Request to the FBI for All Records About Himself</i> by Federal Bureau of Investigation. (Attachments: # <u>1</u> Exhibit A)(Biersbach, Nicholas) (Entered: 06/08/2018)
06/08/2018	<u>39</u>	NOTICE of Change of Address by Francis Schaeffer Cox to FCI Terre Haute. (jaj) (Entered: 06/08/2018)
06/12/2018	40	ORDER granting <u>38</u> Motion for Extension of Time of <i>Records Release and Partial Summary Judgment Motion Deadlines Regarding Plaintiff's FOI/PA Request to the FBI for All Records About Himself</i> . The FBI has until November 16, 2018, to review, process and release the newly-discovered paper records related to the FOI/PA request at issue in Count 1 of the First Amended Complaint. Furthermore, the FBI shall file its partial summary judgment motion in response to the FOI/PA request at issue in Count 1 no later than December 21, 2018. Signed by Judge David R. Herndon on 6/12/2018. (lmp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 06/12/2018)
06/12/2018	41	NOTICE of Hearing: In light of the extension of time, the Bench Trial is RESET for the presumptive trial month of May, 2019, in East St. Louis Courthouse before Judge David R. Herndon. (arf)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 06/12/2018)
07/06/2018	<u>42</u>	NOTICE by Federal Bureau of Investigation of <i>Fifth Release of Records to Plaintiff</i> (Attachments: # <u>1</u> Exhibit A)(Biersbach, Nicholas) (Entered: 07/06/2018)
07/30/2018	<u>43</u>	MOTION for Extension of Time to File Response/Reply to a <i>Portion of Plaintiff's Partial Motion for Summary Judgment</i> by Federal Bureau of Investigation. (Biersbach, Nicholas) (Entered: 07/30/2018)

07/30/2018	<u>44</u>	ORDER granting <u>43</u> MOTION for Extension of Time to File Response/Reply to a <i>Portion of Plaintiff's Partial Motion for Summary Judgment</i> filed by Federal Bureau of Investigation. Responses due by 12/21/2018. Signed by Judge David R. Herndon on 7/30/2018. (lmp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 07/30/2018)
08/06/2018	<u>45</u>	NOTICE by Federal Bureau of Investigation of <i>Sixth Release of Records to Plaintiff</i> (Attachments: # <u>1</u> Exhibit A)(Biersbach, Nicholas) (Entered: 08/06/2018)