

**U.S. District Court
Western District of Virginia (Danville)
CIVIL DOCKET FOR CASE #: 4:17-cv-00027-JLK-RSB**

Hill v. Executive Office for United States Attorneys et al	Date Filed: 04/25/2017
Assigned to: Judge Jackson L. Kiser	Date Terminated: 02/06/2018
Referred to: Magistrate Judge Robert S. Ballou	Jury Demand: None
Case in other court: USCA, 17-01866	Nature of Suit: 895 Freedom of Information Act
USCA, 18-01160	Jurisdiction: U.S. Government Defendant
Cause: 05:552 Freedom of Information Act	

Plaintiff

Brian David Hill

represented by **Brian David Hill**
310 Forest Street
Apt. 2
Martinsville, VA 24112
276-790-3505
PRO SE

V.

Defendant

Executive Office for United States Attorneys
(EOUSA)

represented by **Cheryl Thornton Sloan**
United States Attorney's Office
Middle District of North Carolina
101 South Edgeworth Street, 4th
Floor
Greensboro, NC 27401
336-333-5351
Fax: 336-333-5357
Email: cheryl.sloan@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

United States Department Of Justice
(U.S. DOJ)

represented by **Cheryl Thornton Sloan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/25/2017	1	MOTION for Leave to Proceed in forma pauperis by Brian David Hill. (Attachment: # 1 Post-it Note Attached to IFP Motion)(mlh) (Entered: 04/26/2017)
04/25/2017	2	COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF against Executive Office for United States Attorneys, United States Department Of Justice, filed by Brian David Hill. 70 Day Notice due by 7/5/2017; 90 Day Service due by 7/24/2017. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 DVD for Defendants Marked as Exhibit 6 to be Served Upon Each Defendant, # 10 DVD for Clerk Marked as Exhibit 6 (Available for Viewing in Clerk's Office), # 11 Civil Cover Sheet, # 12 Post-it Note Attached to Complaint, # 13 Proposed Summons, # 14 Post-it Note Attached to Proposed Summons)(mlh) (Entered: 04/26/2017)
05/01/2017	4	MOTION Under Rule 45 Asking the Clerk to Subpoena Attorney John Scott Coalter for Discovery and to Prove the Factual Matter Under Complaint by Brian David Hill. Motion referred to Judge Robert S. Ballou. (Attachments: # 1 Declaration of Evidence, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Proposed Subpoena, # 9 Envelope)(mlh) Modified on 6/19/2017 - added referral text (ham). (Entered: 05/04/2017)
05/04/2017	3	ORDER granting 1 Motion for Leave to Proceed in forma pauperis. Signed by Judge Jackson L. Kiser on 5/4/2017. (mlh)
05/08/2017	5	Summons Issued as to Executive Office for United States Attorneys, United States Department Of Justice and U.S. Attorney. (Attachments: # 1 USM-285 Forms)(Original Summons, original USM-285 Forms, copies of Complaint with Attachments, three copies of DVDs identified on Docket Sheet as Exhibit 10 to Document 2 and copy of Order to Proceed Without Prepaying Fees or Costs were overnighted using two-day delivery to USMS for service.)(mlh)
05/18/2017	6	SUMMONS Returned Executed by Brian David Hill. Executive Office for United States Attorneys served on 5/12/2017, answer due 7/11/2017; United States Department Of Justice served on 5/12/2017, answer due 7/11/2017. (mlh)
05/19/2017	7	Marshal's Return of service of Summons and Complaint on 5/15/17 upon United States Department of Justice.(ham)
05/19/2017	8	Marshal's Return of service of Summons and Complaint on 5/16/17 upon Executive Office for United States Attorneys.(ham)

06/09/2017	9	ANSWER to 2 Complaint,, <i>FOR DECLARATORY AND INJUNCTIVE RELIEF</i> by Executive Office for United States Attorneys, United States Department Of Justice.(Sloan, Cheryl)
06/09/2017	10	Magistrate Consent Notice to Parties. (mlh)
06/09/2017	11	PRETRIAL ORDER, Order Referring Case to Magistrate Judge Robert S. Ballou. Signed by Judge Jackson L. Kiser on 6/9/2017. (mlh)
06/12/2017	12	Brief / Memorandum in Support re: 4 MOTION Under Rule 45 Asking the Clerk to Subpoena Attorney John Scott Coalter for Discovery and to Prove the Factual Matter Under Complaint and Declaration in Support of 2 Complaint filed by Brian David Hill. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Envelope)(mlh)
06/16/2017	13	MOTION Asking the Court to Request Legal Counsel to Represent the Plaintiff by Brian David Hill. (mlh)
06/16/2017	14	Objections by Plaintiff Brian David Hill re: 9 Answer to Complaint. (Attachments: # 1 Exhibit 1, # 2 Envelope)(mlh)
06/19/2017	15	NOTICE of Hearing: (CR) Bench Trial set for 1/29/2018 - 1/31/2018 at 09:30 AM in Danville before Judge Jackson L. Kiser. Parties must contact the Clerk's Office no later than five (5) business days before the scheduled trial date for your technology needs. (ham)
06/20/2017	16	ORDER denying 13 MOTION Asking the Court to Request Legal Counsel to Represent the Plaintiff. Signed by Judge Jackson L. Kiser on 6/20/2017. (mlh)
06/20/2017	17	Brief in Support of 13 Motion Asking the Court to Request Legal Counsel to Represent the Plaintiff filed by Brian David Hill. (mlh)
06/20/2017	18	MOTION AND SUPPORTING BRIEF to Extend Time for Filing Motions by Brian David Hill. (mlh)
06/20/2017	19	MOTION for Issuance of Subpoenas to Produce Documents and for Subpoenas to Appear and Testify at a Hearing or Trial in a Civil Action by Brian David Hill. Motions referred to Judge Robert S. Ballou. (Attachments: # 1 Proposed Subpoena to Produce Documents to Office of Information Policy, U.S. Department of Justice, # 2 Proposed Subpoena to Appear and Testify to Christa Lemelin, Office of Government Information Services, # 3 Subpoena to Produce Documents to Rodney V. White, Special Agent, North Carolina State Bureau of Investigation, # 4 Subpoena to Appear and Testify to Rodney V. White, Special Agent, North Carolina State Bureau of Investigation)(mlh)
06/22/2017	20	PROPOSED SUBPOENA to Produce Documents to Town of Mayodan, Police Department filed by Brian David Hill. (mlh) Modified on

		7/19/2017: Pursuant to 32 Order, Clerk is not to issue proposed subpoena. (mlh)
06/23/2017	21	MOTION and Supporting Brief to Expedite the Trial Proceedings by Brian David Hill. (Attachment: # 1 Envelope)(mlh)
06/23/2017	22	ORDER denying 18 Motion to Extend Time for Filing Motions. Signed by Judge Jackson L. Kiser on 6/23/2017. (mlh)
07/03/2017	23	MOTION to Appoint Counsel by Brian David Hill. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Attachment 1, # 4 Attachment 2, # 5 Notes attached to Motion)(bw)
07/03/2017	24	Declaration in Support re 2 Complaint filed by Brian David Hill. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Notes attached to documents)(bw)
07/06/2017	25	ORDER denying 23 Motion Asking the Court to Request Legal Counsel to Represent the Plaintiff. Signed by Judge Jackson L. Kiser on 7/6/2017. (mlh)
07/11/2017	27	MOTION and Supporting Brief Requesting Pretrial Status Conference for Discovery Matter by Brian David Hill. Motion referred to Judge Robert S. Ballou. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Attachment 1, # 4 Envelope)(mlh)
07/12/2017	28	MOTION to Quash <i>DISCOVERY REQUESTS, OR IN THE ALTERNATIVE, TO STAY DISCOVERY</i> by Executive Office for United States Attorneys, United States Department Of Justice. (Sloan, Cheryl) Modified on 7/13/2017: Motion referred to Judge Robert S. Ballou. (mlh)
07/12/2017	29	Brief / Memorandum in Support re 28 MOTION to Quash <i>DISCOVERY REQUESTS, OR IN THE ALTERNATIVE, TO STAY DISCOVERY</i> . filed by Executive Office for United States Attorneys, United States Department Of Justice. (Sloan, Cheryl)
07/17/2017	31	RESPONSE in Opposition re: 28 MOTION to Quash <i>DISCOVERY REQUESTS, OR IN THE ALTERNATIVE, TO STAY DISCOVERY</i> and DECLARATION OF PLAINTIFF IN SUPPORT OF 27 Motion and Supporting Brief Requesting Pretrial Status Conference for Discovery Matter filed by Brian David Hill. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 2: Video Disc for Clerk to File, # 10 Exhibit 8: Audio Disc for Clerk to File)(ALL EXHIBITS, INCLUDING VIDEO DISC AND AUDIO DISC, AVAILABLE FOR VIEWING IN THE CLERK'S OFFICE DUE TO CLARITY OF EXHIBIT 3.)(mlh) (Entered: 07/19/2017)

07/19/2017	32	ORDER denying 4 Motion Under Rule 45 Asking the Clerk to Subpoena Attorney John Scott Coalter for Discovery and to Prove the Factual Matter Under Complaint; denying 19 Motion for Issuance of Subpoenas to Produce Documents and Subpoenas to Appear and Testify at a Hearing or Trial in a Civil Action; denying issuance of 20 Proposed Subpoena to Town of Mayodan Police Department; denying 27 Motion and Supporting Brief Requesting Pretrial Status Conference for Discovery Matter; granting 28 Motion to Quash Discovery Requests, or in the alternative, to Stay Discovery. Signed by Magistrate Judge Robert S. Ballou on 7/19/2017. (mlh)
07/24/2017	33	NOTICE OF INTERLOCUTORY APPEAL as to 32 ORDER denying 4 Motion Under Rule 45 Asking the Clerk to Subpoena Attorney John Scott Coalter for Discovery and to Prove the Factual Matter Under Complaint; denying 19 Motion for Issuance of Subpoenas to Produce Documents and Subpoenas to Appear and Testify at a Hearing or Trial in a Civil Action; denying issuance of 20 Proposed Subpoena to Town of Mayodan Police Department; denying 27 Motion and Supporting Brief Requesting Pretrial Status Conference for Discovery Matter; granting 28 Motion to Quash Discovery Requests, or in the alternative, to Stay Discovery by Brian David Hill. (Attachment: # 1 Envelope)(mlh)
07/24/2017	34	Transmittal of Notice of Appeal to 4CCA re: 33 Notice of Interlocutory Appeal. NOTE: The Docketing Statement and Transcript Order Form are available on the 4th Circuit Court of Appeals website at www.ca4.uscourts.gov . If CJA24 form(s) are applicable, you must submit a separate Auth-24 for each court reporter from whom you wish to order a transcript through the District Court's eVoucher system. (mlh)
07/24/2017		Assembled Electronic Record Transmitted to 4CCA re: 33 Notice of Interlocutory Appeal. (mlh)
07/25/2017	35	ORDER denying 21 Motion to Expedite the Trial Proceedings. Signed by Judge Jackson L. Kiser on 7/25/2017. (mlh)
07/25/2017	36	NOTICE of Docketing Record on Appeal from USCA re: 33 Notice of Interlocutory Appeal filed by Brian David Hill. USCA Case Number 17-1866; Case Manager: RJ Warren. (mlh)
08/01/2017	37	Plaintiff's Motion to Reconsider the Magistrate Judge's Order Under Document #32 and Objections to the Order; Motion, Objections and Memorandum/Brief in Support of This Objection re: 32 Order denying 4 Motion Under Rule 45 Asking the Clerk to Subpoena Attorney John Scott Coalter for Discovery and to Prove the Factual Matter Under Complaint; denying 19 Motion for Issuance of Subpoenas to Produce Documents and Subpoenas to Appear and Testify at a Hearing or Trial in a Civil Action; denying issuance of 20 Proposed Subpoena to Town of Mayodan Police

		Department; denying 27 Motion and Supporting Brief Requesting Pretrial Status Conference for Discovery Matter; granting 28 Motion to Quash Discovery Requests, or in the alternative, to Stay Discovery by Brian David Hill. (mlh)
08/01/2017		Assembled Supplemental Electronic Record Transmitted to 4CCA re: 33 Notice of Interlocutory Appeal. (Document 37 transmitted.) (mlh)
08/22/2017	38	ORDER denying 37 Plaintiff's Motion to Reconsider the Magistrate Judge's Order Under Document #32 and Objections to the Order; Motion, Objections and Memorandum/Brief in Support of This Objection. Signed by Judge Jackson L. Kiser on 8/22/2017. (mlh)
08/22/2017		Assembled Supplemental Electronic Record Transmitted to 4CCA re: 33 Notice of Interlocutory Appeal. (Document 38 transmitted.) (mlh)
09/06/2017	39	Declaration in Support of Document #2 Complaint, and New Evidence Concerning Possible Dishonesty of the U.S. Attorney Office of Greensboro, North Carolina by Brian David Hill. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5)(mlh)
09/06/2017		Assembled Supplemental Electronic Record Transmitted to 4CCA re: 33 Notice of Interlocutory Appeal. (Document 39 transmitted.) (mlh)
09/25/2017	40	Additional Evidence - Plaintiff's Declaration in Support of Document 2 Complaint, and New Evidence Concerning New FOIA Document Release from Defendant EOUSA 1 Day After Call-In Appearance on INFOWARS New Show "War Room" with Owen Shroyer by Brian David Hill. (Attachments: # 1 Exhibit 1 - 2 DVD discs (3 copies), # 2 Exhibit 2 - 9/13/17 Letter and enclosures from Kevin Krebs, Assistant Director, Executive Office for United States Attorneys, # 3 Exhibit 3 - Incident/Investigation Report, # 4 Exhibit 4 - Case Supplemental Report, # 5 Envelope and Certified Mail Receipt) NOTE: DVDs are available for viewing in Clerk's Office.(ham)
09/25/2017		Assembled Supplemental Electronic Record Transmitted to 4CCA re 33 Notice of Interlocutory Appeal: Document 40. (ham)
10/19/2017	41	USCA Memorandum Opinion from 4th Circuit re: 33 Notice of Interlocutory Appeal; dismissing; decided on 10/19/2017. (mlh)
10/19/2017	42	USCA JUDGMENT as to 33 Notice of Interlocutory Appeal filed by Brian David Hill. (mlh)
11/06/2017	43	USCA Notice of Stay of Mandate Under Fed. R. App. P. 41(d)(1). (mlh)
11/27/2017	44	PLAINTIFF'S FIRST STATUS REPORT by Brian David Hill. (mlh)
11/27/2017		Assembled Supplemental Electronic Record Transmitted to 4CCA re: 33 Notice of Interlocutory Appeal: Document 44 transmitted. (mlh)

11/30/2017	45	STATUS REPORT by Executive Office for United States Attorneys, United States Department Of Justice (Sloan, Cheryl)
11/30/2017	46	ORDER setting forth that no action will be taken in this case regarding Paragraph 3 of 44 Plaintiff's First Status Report filed by Brian David Hill until the Fourth Circuit's mandate is issued on Plaintiff's appeal. Signed by Judge Jackson L. Kiser on 11/30/2017. (mlh)
12/19/2017	47	ORDER of USCA denying petition for rehearing and rehearing en banc as to 33 Notice of Interlocutory Appeal filed by Brian David Hill. (mlh)
12/22/2017	48	MOTION for Summary Judgment by Executive Office for United States Attorneys, United States Department Of Justice. (Sloan, Cheryl)
12/22/2017	49	ECF NOS. 49-3, 49-6 and 49-7 WERE STRICKEN FROM THE DOCKET PURSUANT TO DOCUMENT 54 Brief / Memorandum in Support re 48 MOTION for Summary Judgment . filed by Executive Office for United States Attorneys, United States Department Of Justice. (Attachments: # 1 Exhibit A - Princina Stone Declaration, # 2 1, # 3 2, # 4 3, # 5 4, # 6 5, # 7 6, # 8 7, # 9 8, # 10 Exhibit B - Carolyn Loye Declaration)(Sloan, Cheryl) Modified on 1/4/2018. Modified docket text to reflect exhibits stricken from the docket. (mlh)
12/26/2017	50	Roseboro Notice re 48 MOTION for Summary Judgment. Response Deadline set for 1/12/2018. (ham)
12/27/2017	51	MANDATE of USCA as to 33 Notice of Interlocutory Appeal filed by Brian David Hill. (mlh)
12/28/2017	52	MOTION AND SUPPORTING BRIEF to Redact and Request for a Protective Order to Redact Social Security Number Protected by the United States Privacy Act of 1974 by Brian David Hill. (Attachment: # 1 Envelope)(mlh)
01/03/2018	53	Brief / Memorandum in Opposition re: 48 MOTION for Summary Judgment filed by Brian David Hill. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5)(mlh)
01/04/2018	54	ORDER granting 52 MOTION AND SUPPORTING BRIEF to Redact and Request for a Protective Order to Redact Social Security Number Protected by the United States Privacy Act of 1974. The clerk is instructed to strike ECF Nos. 49-3, 49-6 and 49-7 from the docket. Signed by Judge Jackson L. Kiser on 1/4/2018. (mlh)
01/04/2018	55	Notice of Correction: ECF Nos. 49-3, 49-6 and 49-7 as to 49/Brief/Memorandum in Support re: 48/Motion for Summary Judgment were stricken from the docket pursuant to Document 54/Order. (mlh)
01/04/2018	56	Letter for - regarding Court's January 4, 2018 Order by United States Department Of Justice, Executive Office for United States Attorneys

		(Attachments: # 1 Exhibit A Attachment 2 (Amended - Redacted), # 2 Exhibit A Attachment 5 (Amended - Redacted), # 3 Exhibit A Attachment 6 (Amended - Redacted))(Sloan, Cheryl)
01/04/2018	57	NOTICE of Hearing on Motion 48 MOTION for Summary Judgment: (CR) Motion Hearing set for 1/30/2018 at 10:00 AM in Danville before Judge Jackson L. Kiser. (ham)
01/04/2018	58	Notice Rescheduling Trial previously set for 1/29/2018 - 1/31/2018 at 09:30 AM in Danville before Judge Jackson L. Kiser: (CR) Bench Trial reset for 3/12/2018 - 3/14/2018 at 09:30 AM in Danville before Judge Jackson L. Kiser. Counsel must contact the Clerk's Office no later than five (5) business days before the scheduled trial date for your technology needs. (ham)
01/05/2018	59	ORDER continuing the bench trial of this matter to March 12-14, 2018 at 9:30 a.m.; setting the Motion Hearing as to 48 Defendants' Motion for Summary Judgment on January 30, 2018 at 10:00 a.m. Signed by Judge Jackson L. Kiser on 1/5/2018. (mlh)
01/10/2018	60	REPLY to Response to Motion re 48 MOTION for Summary Judgment . filed by Executive Office for United States Attorneys, United States Department Of Justice. (Sloan, Cheryl)
01/19/2018	61	Plaintff's Motion/Brief in Support of Notice of Waiving Right to "Motion Hearing" Under Document #59, Requesting Stay of Proceeding, or in alternative Request Counsel to Represent Plaintiff by Brian David Hill. (Attachment: # 1 Exhibit 1: Client Status Report from Preston Page, LCSW, LSATP)(mlh)
01/23/2018	62	Notice of Cancellation of Motion Hearing set 1/30/2018 at 10:00 AM in Danville before Judge Jackson L. Kiser. (Cancel Court Reporter). (ham)
02/06/2018	63	MEMORANDUM OPINION. Signed by Senior Judge Jackson L. Kiser on 2/6/2018. (mlh)
02/06/2018	64	ORDER granting 48 Motion for Summary Judgment; denying 61 Plaintiff's Motion/Brief in Support of Notice of Waiving Right to "Motion Hearing" Under Document #59, Requesting Stay of Proceeding, or in alternative Request Counsel to Represent Plaintiff. Clerk is directed to close the case and remove it from the active docket of this court. Signed by Senior Judge Jackson L. Kiser on 2/6/2018. (mlh)
02/06/2018	65	Notice of Cancellation of Bench Trial set for 3/12/2018 - 3/14/2018 at 09:30 AM in Danville before Judge Jackson L. Kiser. (Cancel Court Reporter). (ham)
02/08/2018	66	NOTICE OF APPEAL as to 63 Memorandum Opinion and 64 Order on Motion for Summary Judgment, Order on Motion in Support of Notice of

		Waiving Right to "Motion Hearing" Under Document #59, Requesting Stay of Proceeding, or in alternative Request Counsel to Represent Plaintiff by Brian David Hill. (Attachments: # 1 Envelope, # 2 Priority Mail Envelope)(mlh)
02/08/2018	67	Transmittal of Notice of Appeal to 4CCA re: 66 Notice of Appeal. NOTE: The Docketing Statement and Transcript Order Form are available on the 4th Circuit Court of Appeals website at www.ca4.uscourts.gov . If CJA24 form(s) are applicable, you must submit a separate Auth-24 for each court reporter from whom you wish to order a transcript through the District Court's eVoucher system. (mlh)
02/08/2018		Assembled Electronic Record Transmitted to 4CCA re: 66 Notice of Appeal, (mlh)
02/09/2018	68	NOTICE of Docketing Record on Appeal from USCA re: 66 Notice of Appeal, filed by Brian David Hill. USCA Case Number 18-1160; Case Manager: A. Walker. (mlh)
02/09/2018	69	USCA Record Request re: 66 Notice of Appeal. DEPUTY CLERK CONFIRMED WITH A. WALKER THAT THE ELECTRONIC RECORD WAS SUCCESSFULLY TRANSMITTED ON 2/8/2018; RECORD REQUEST IS MOOT. (mlh)