

**U.S. District Court
Southern District of Georgia (Waycross)
CIVIL DOCKET FOR CASE #: 5:20-cv-00046-LGW-BWC**

Benavides et al v. Gartland et al
Assigned to: Judge Lisa G. Wood
Referred to: Magistrate Judge Benjamin W. Cheesbro
Cause: 28:2241 Petition for Writ of Habeas Corpus
(Federal)

Date Filed: 04/08/2020
Date Terminated: 11/18/2020
Jury Demand: None
Nature of Suit: 463 Habeas Corpus -
Alien Detainee
Jurisdiction: U.S. Government
Defendant

Petitioner

Jenner Benavides
TERMINATED: 11/18/2020

represented by **Amanda N. Brouillette**
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Petitioner

David Fernandez
TERMINATED: 11/18/2020

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Gracie Willis
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Hillary Li
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Kathryn Isted
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Rebecca Cassler
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Petitioner

Gerardo Arriaga
TERMINATED: 11/18/2020

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Winston Brown
TERMINATED: 11/18/2020

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Petitioner

Ajit Kumar
TERMINATED: 11/18/2020

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Scott James
TERMINATED: 11/18/2020

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Mark Howard Reeves
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V.

Respondent

Patrick Gartland
Warden, Folkston ICE Processing
Center
TERMINATED: 11/18/2020

represented by **Otto Woelke Leithart**
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Respondent

Thomas Giles
*Field Office Director U.S.
Immigration and Customs
TERMINATED: 11/18/2020*

represented by **Otto Woelke Leithart**
(See above for address)
ATTORNEY TO BE NOTICED

Respondent

Matthew T. Albence
*Deputy Director and Senior Official
Performing the Duties of the
Director
TERMINATED: 11/18/2020*

represented by **Otto Woelke Leithart**
(See above for address)
ATTORNEY TO BE NOTICED

Respondent

Chad Wolf
*Acting Secretary Department of
Homeland Security
TERMINATED: 11/18/2020*

represented by **Otto Woelke Leithart**
(See above for address)
ATTORNEY TO BE NOTICED

Respondent

**U.S Immigration and Customs
Enforcement**
TERMINATED: 11/18/2020

represented by **Otto Woelke Leithart**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/08/2020	<u>1</u>	PETITION for Writ of Habeas Corpus and Complaint for declaratory and injunctive relief, filed by David Fernandez, Jenner Benavides, Gerardo Arriaga. (Attachments: # <u>1</u> Civil Cover Sheet)(jrb) Modified on 4/9/2020 (jrb). (Entered: 04/08/2020)
04/08/2020	<u>2</u>	Disclosure Statement pursuant to Local Rule 7.1.1 by Gerardo Arriaga, Jenner Benavides, David Fernandez. (jrb) (Entered: 04/08/2020)
04/08/2020	<u>3</u>	Summons Issued as to Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S. Immigration and Customs Enforcement, Chad Wolf. (jrb) (Entered: 04/08/2020)
04/08/2020	<u>4</u>	***** MOTION for Temporary Restraining Order by Gerardo Arriaga, Jenner Benavides, David Fernandez. Responses due by 4/22/2020. (Attachments: # <u>1</u> Briefs, # <u>2</u> Exhibit Declaration of Mark H. Reeves, Esq., # <u>3</u> Exhibit 1 - Greifinger Declaration, # <u>4</u> Exhibit 2 - Cummings Declaration, # <u>5</u> Exhibit 3 - Zeidan Declaration, # <u>6</u> Exhibit 4 - Sandweg Declaration, # <u>7</u> Exhibit 5 -

		Yoon Declaration, # 8 Exhibit 6 - Rivera Declaration, # 9 Exhibit 7 - Benavides Declaration, # 10 Exhibit 8 - Fernandez Declaration, # 11 Exhibit 9 - Arriaga Declaration)(Reeves, Mark) (Entered: 04/08/2020)
04/08/2020	5	***** MOTION for Leave to Proceed Under Pseudonyms and, MOTION for Protective Order by Gerardo Arriaga, Jenner Benavides, David Fernandez. Responses due by 4/22/2020. (Attachments: # 1 Briefs)(Reeves, Mark) Modified on 4/20/2020 (WS). (Entered: 04/08/2020)
04/08/2020	6	MOTION for Leave to Appear Pro Hac Vice for Rebecca Cassler Receipt Number AGASDC-2820034, Fee Amount \$200, by Gerardo Arriaga, Jenner Benavides, David Fernandez. Responses due by 4/22/2020. (Attachments: # 1 Appendix Certificate of Good Standing)(Reeves, Mark) (Entered: 04/08/2020)
04/08/2020	7	MOTION for Leave to Appear Pro Hac Vice for Paul Chavez Receipt Number AGASDC-2820037, Fee Amount \$200, by Gerardo Arriaga, Jenner Benavides, David Fernandez. Responses due by 4/22/2020. (Attachments: # 1 Appendix Certificate of Good Standing)(Reeves, Mark) (Entered: 04/08/2020)
04/08/2020	8	MOTION for Leave to Appear Pro Hac Vice Hillary Li Receipt Number AGASDC-2820050, Fee Amount \$200, by Gerardo Arriaga, Jenner Benavides, David Fernandez. Responses due by 4/22/2020. (Attachments: # 1 Appendix Certificate of Good Standing)(Reeves, Mark) (Entered: 04/08/2020)
04/08/2020	9	MOTION for Leave to Appear Pro Hac Vice for Phi Nguyen Receipt Number AGASDC-2820051, Fee Amount \$200, by Gerardo Arriaga, Jenner Benavides, David Fernandez. Responses due by 4/22/2020. (Attachments: # 1 Appendix Certificate of Good Standing)(Reeves, Mark) (Entered: 04/08/2020)
04/08/2020	10	MOTION for Leave to Appear Pro Hac Vice for Lorilei Williams Receipt Number AGASDC-2820052, Fee Amount \$200, by Gerardo Arriaga, Jenner Benavides, David Fernandez. Responses due by 4/22/2020. (Attachments: # 1 Appendix Certificate of Good Standing)(Reeves, Mark) (Entered: 04/08/2020)
04/08/2020	11	MOTION for Leave to Appear Pro Hac Vice for Gracie Willis Receipt Number AGASDC-2820053, Fee Amount \$200, by

		Gerardo Arriaga, Jenner Benavides, David Fernandez. Responses due by 4/22/2020. (Attachments: # 1 Appendix Certificate of Good Standing)(Reeves, Mark) (Entered: 04/08/2020)
04/08/2020		Filing fee: \$ 400.00, receipt number AGASDC-2819558. (jrb) (Entered: 04/09/2020)
04/09/2020	12	NOTICE of Appearance by Otto Woelke Leithart on behalf of Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S. Immigration and Customs Enforcement, Chad Wolf (Leithart, Otto) (Entered: 04/09/2020)
04/09/2020	13	Summons Issued as to U.S. Attorney General. (wwp) (Entered: 04/09/2020)
04/09/2020	14	NOTICE of Filing Deficiency re 9 MOTION for Leave to Appear Pro Hac Vice <i>for Phi Nguyen</i> , 8 MOTION for Leave to Appear Pro Hac Vice <i>Hillary Li</i> , 7 MOTION for Leave to Appear Pro Hac Vice <i>for Paul Chavez</i> , 10 MOTION for Leave to Appear Pro Hac Vice <i>for Lorilei Williams</i> , 11 MOTION for Leave to Appear Pro Hac Vice <i>for Gracie Willis</i> , 6 MOTION for Leave to Appear Pro Hac Vice <i>for Rebecca Cassler</i> . (wwp) Modified on 4/9/2020 (slt). (Entered: 04/09/2020)
04/09/2020		***Staff notes - All pro hac applicants (Docket entries 6-11) have never appeared in the SDGA. (wwp) (Entered: 04/09/2020)
04/09/2020		MOTIONS REFERRED: 9 MOTION for Leave to Appear Pro Hac Vice <i>for Phi Nguyen</i> , 8 MOTION <i>for Leave to Appear Pro Hac Vice Hillary Li</i> , 7 MOTION <i>for Leave to Appear Pro Hac Vice for Paul Chavez</i> , 10 MOTION <i>for Leave to Appear Pro Hac Vice for Lorilei Williams</i> , 11 MOTION <i>for Leave to Appear Pro Hac Vice for Gracie Willis</i> , 6 MOTION <i>for Leave to Appear Pro Hac Vice for Rebecca Cassler</i> . (wwp) (Entered: 04/09/2020)
04/09/2020	15	ORDER directing the Clerk of Court to Transfer this Case to the Waycross Division. Signed by District Judge R. Stan Baker on 4/9/20. (jrb) (Entered: 04/09/2020)
04/09/2020		Case assigned to Magistrate Judge Benjamin W. Cheesbro pursuant to divisional transfer of case. Magistrate Judge Christopher L. Ray no longer assigned to the case. (slt) (Entered: 04/09/2020)
04/10/2020		*** Attorney Rebecca Cassler added for Petitioners. (edd) (Entered: 04/10/2020)

04/10/2020		*** Attorney Paul Chavez added for Petitioners. (edd) (Entered: 04/10/2020)
04/10/2020		*** Attorney Hillary Li added for Petitioners. (edd) (Entered: 04/10/2020)
04/10/2020		Attorney Phi Nguyen added for Petitioners. (edd) (Entered: 04/10/2020)
04/10/2020		Attorney Lorilei Williams added for Petitioners. (edd) (Entered: 04/10/2020)
04/10/2020		Attorney Gracie Willis added for Petitioners. (edd) (Entered: 04/10/2020)
04/10/2020	16	TEXT ORDER granting 6 MOTION for Leave to Appear Pro Hac Vice by Rebecca Cassler. Mark H. Reeves has entered an appearance in this case and vouches he will satisfy the obligations of local counsel, as this Court's Local Rule 83.4 requires. Signed by Magistrate Judge Benjamin W. Cheesbro on April 10, 2020. (edd) (Entered: 04/10/2020)
04/10/2020	17	TEXT ORDER granting 7 MOTION for Leave to Appear Pro Hac Vice by Paul Chavez. Mark H. Reeves has entered an appearance in this case and vouches he will satisfy the obligations of local counsel, as this Court's Local Rule 83.4 requires. Signed by Magistrate Judge Benjamin W. Cheesbro on April 10, 2020. (edd) (Entered: 04/10/2020)
04/10/2020	18	TEXT ORDER granting 8 MOTION for Leave to Appear Pro Hac Vice by Hillary Li. Mark H. Reeves has entered an appearance in this case and vouches he will satisfy the obligations of local counsel, as this Court's Local Rule 83.4 requires. Signed by Magistrate Judge Benjamin W. Cheesbro on April 10, 2020. (edd) (Entered: 04/10/2020)
04/10/2020	19	TEXT ORDER granting 9 MOTION for Leave to Appear Pro Hac Vice by Phi Nguyen. Mark H. Reeves has entered an appearance in this case and vouches he will satisfy the obligations of local counsel, as this Court's Local Rule 83.4 requires. Signed by Magistrate Judge Benjamin W. Cheesbro on April 10, 2020. (edd) (Entered: 04/10/2020)
04/10/2020	20	TEXT ORDER granting 10 MOTION for Leave to Appear Pro Hac Vice by Lorilei Williams. Mark H. Reeves has entered an appearance in this case and vouches he will satisfy the obligations of local counsel, as this Court's Local Rule 83.4 requires. Signed

		by Magistrate Judge Benjamin W. Cheesbro on April 10, 2020. (edd) (Entered: 04/10/2020)
04/10/2020	21	TEXT ORDER granting 11 MOTION for Leave to Appear Pro Hac Vice by Gracie Willis. Mark H. Reeves has entered an appearance in this case and vouches he will satisfy the obligations of local counsel, as this Court's Local Rule 83.4 requires. Signed by Magistrate Judge Benjamin W. Cheesbro on April 10, 2020. (edd) (Entered: 04/10/2020)
04/10/2020	22	NOTICE of Hearing BY ELECTRONIC MEANS on Motion 5 MOTION <i>for Leave to Proceed Under Pseudonyms</i> and MOTION for Protective Order , 4 MOTION for Temporary Restraining Order : Motion Hearing set for 4/15/2020 10:00 AM in BWK-DistVTC before Judge Lisa G. Wood. Counsel will receive dial in instructions in a follow up email.(WS) (Entered: 04/10/2020)
04/13/2020	23	MOTION for Leave to Appear Pro Hac Vice <i>for Victoria Mesa-Estrada</i> Receipt Number AGASDC-2822187, Fee Amount \$200, by Gerardo Arriaga, Jenner Benavides, David Fernandez. Responses due by 4/27/2020. (Attachments: # 1 Appendix Certificate of Good Standing)(Reeves, Mark) (Entered: 04/13/2020)
04/13/2020		MOTIONS REFERRED: 23 MOTION for Leave to Appear Pro Hac Vice <i>for Victoria Mesa-Estrada</i> . (MG) (Entered: 04/13/2020)
04/13/2020	24	RESPONSE to Motion re 5 MOTION <i>for Leave to Proceed Under Pseudonyms</i> and MOTION for Protective Order filed by Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf. (Leithart, Otto) (Entered: 04/13/2020)
04/13/2020	25	MOTION for Leave to Appear Pro Hac Vice <i>for Kathryn Isted</i> Receipt Number AGASDC-2822401, Fee Amount \$200, by Gerardo Arriaga, Jenner Benavides, David Fernandez. Responses due by 4/27/2020. (Attachments: # 1 Appendix Certificate of Good Standing)(Reeves, Mark) (Entered: 04/13/2020)
04/13/2020		MOTIONS REFERRED: 25 MOTION for Leave to Appear Pro Hac Vice <i>for Kathryn Isted</i> . (MG) (Entered: 04/13/2020)
04/14/2020	26	NOTICE of Filing Proposed Order re 5 MOTION <i>for Leave to Proceed Under Pseudonyms</i> and MOTION for Protective Order . (Reeves, Mark) Modified on 4/14/2020 (MG). (Entered: 04/14/2020)

04/14/2020		Attorney Victoria Mesa-Estrada added for Petitioners. (edd) (Entered: 04/14/2020)
04/14/2020		Attorney Kathryn Isted added for Petitioners. (edd) (Entered: 04/14/2020)
04/14/2020	27	TEXT ORDER granting 23 MOTION for Leave to Appear Pro Hac Vice by Victoria Mesa-Estrada. Mark H. Reeves has entered an appearance in this case and vouches he will satisfy the obligations of local counsel, as this Court's Local Rule 83.4 requires. Signed by Magistrate Judge Benjamin W. Cheesbro on April 14, 2020. (edd) (Entered: 04/14/2020)
04/14/2020	28	TEXT ORDER granting 25 MOTION for Leave to Appear Pro Hac Vice by Kathryn Isted. Mark H. Reeves has entered an appearance in this case and vouches he will satisfy the obligations of local counsel, as this Court's Local Rule 83.4 requires. Signed by Magistrate Judge Benjamin W. Cheesbro on April 14, 2020. (edd) (Entered: 04/14/2020)
04/14/2020		***Attorney Victoria Mesa-Estrada and Kathryn Isted added for Gerardo Arriaga, Jenner Benavides, and David Fernandez added. (MG) (Entered: 04/14/2020)
04/14/2020	29	RESPONSE in Opposition re 4 MOTION for Temporary Restraining Order filed by Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf. (Attachments: # 1 Exhibit Gartland Declaration, # 2 Exhibit Allen Declaration)(Leithart, Otto) (Entered: 04/14/2020)
04/14/2020	30	MOTION for Leave to File <i>Supplemental Declarations</i> by Gerardo Arriaga, Jenner Benavides, David Fernandez. Responses due by 4/28/2020. (Attachments: # 1 Affidavit of Meredyth Yoon (Supplemental), # 2 Affidavit of Jenner Benavides (Supplemental), # 3 Affidavit of David Fernandez (Supplemental), # 4 Affidavit of Gerardo Arriaga (Supplemental), # 5 Text of Proposed Order Granting Motion for Leave to File Supplemental Declarations)(Li, Hillary) (Entered: 04/14/2020)
04/14/2020	31	NOTICE re 22 Notice of Hearing on Motion - publicly accessible audio conference line instructions. (WS) (Entered: 04/14/2020)
04/16/2020		ORAL ORDER granting 30 Motion Leave to File Supplemental Declarations ; granting 5 MOTION for Leave to Proceed Under Pseudonyms, MOTION for Protective Order. Signed by Judge Lisa G. Wood on 04/15/2020. (WS) Modified on 4/20/2020 (WS). (Entered: 04/16/2020)

04/18/2020	<u>32</u>	ORDER denying <u>4</u> Motion for preliminary relief. Signed by Judge Lisa G. Wood on 04/18/2020. (WS) (Entered: 04/18/2020)
04/19/2020	<u>33</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 04/15/2020, before Judge Lisa Godbey Wood. Court Reporter/Transcriber Debbie Gilbert, Telephone number (912) 262-2608. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. (Transcript Redaction Policy Issued or Click here to view <u>Transcript Redaction Policy</u>) Redaction Request due 5/10/2020. Redacted Transcript Deadline set for 5/20/2020. Release of Transcript Restriction set for 7/18/2020. (Gilbert, Debra) (Entered: 04/19/2020)
05/01/2020	<u>34</u>	MOTION to Dismiss by Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf. Responses due by 5/15/2020. (Leithart, Otto) (Entered: 05/01/2020)
05/01/2020	<u>35</u>	MOTION to Seal <i>Declaration Exhibit</i> by Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf. Responses due by 5/15/2020. (Attachments: # <u>1</u> Text of Proposed Order)(Leithart, Otto) (Entered: 05/01/2020)
05/04/2020		MOTIONS REFERRED: <u>35</u> MOTION to Seal <i>Declaration Exhibit</i> , <u>34</u> MOTION to Dismiss. (MG) (Entered: 05/04/2020)
05/07/2020	<u>36</u>	AMENDED COMPLAINT <i>Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. 2241 and Complaint for Declaratory and Injunctive Relief</i> against David Fernandez, Jenner Benavides, Gerardo Arriaga, Winston Brown, Ajit Kumar, Scott James, filed by David Fernandez, Jenner Benavides, Gerardo Arriaga, Winston Brown, Ajit Kumar, Scott James.(Reeves, Mark) (Entered: 05/07/2020)
05/07/2020	<u>37</u>	***** MOTION for Emergency Inspection and Other Expedited Discovery In Support of Their Motion for Preliminary Injunction by Gerardo Arriaga, Jenner Benavides, Winston Brown, David Fernandez, Scott James, Ajit Kumar. Responses due by 5/21/2020. (Attachments: # <u>1</u> Briefs Memo ISO Motion for Emergency Inspection, # <u>2</u> Affidavit Declaration of Rebecca Cassler, # <u>3</u> Exhibit Ex. 1 Notice of Inspection, # <u>4</u> Exhibit Ex. 2 Petitioners' First Interrogatories to Respondents, # <u>5</u> Exhibit Ex. 3 Declaration of Scott James, # <u>6</u> Exhibit Ex. 4 Declaration of Ajit

		Kumar, # 7 Exhibit Ex. 5 Declaration of Winston Brown, # 8 Exhibit Ex. 6 Second Supplemental Declaration of Jenner Benavides, # 9 Exhibit Ex. 7 Second Supplemental Declaration of David Fernandez, # 10 Exhibit Ex. 8 Second Supplemental Declaration of Gerardo Arriago, # 11 Exhibit Ex. 9 Modeling Study, # 12 Exhibit Ex. 10 Chunn v. Edge, Dkt 43, # 13 Exhibit Ex. 11 Malam v. Adducci, Dkt. 53, # 14 Exhibit Ex. 12 Banks v. Booth, Dkt 34, # 15 Exhibit Ex. 13 Supplemental Declaration of Homer Venters, M.D., # 16 Exhibit Ex. 14 Supplemental Declaration of Meredyth Yoon, # 17 Text of Proposed Order Proposed Order)(Reeves, Mark) (Entered: 05/07/2020)
05/07/2020	38	MOTION for Leave to Proceed Under Pseudonym and For a Protective Order by Winston Brown, Ajit Kumar. Responses due by 5/21/2020. (Attachments: # 1 Text of Proposed Order Proposed Order)(Reeves, Mark) (Entered: 05/07/2020)
05/07/2020		TEXT ONLY NOTICE of Hearing: TELEPHONIC Status Conference set for 5/8/2020 12:15 PM in L G Wood Chambers before Judge Lisa G. Wood. To dial in as a participant dial 1-888-684-8852, When prompted, enter Access Code: 1384176, When prompted, enter Security Code: 0046.(WS) (Entered: 05/07/2020)
05/08/2020	39	Consent MOTION for Leave to File Excess Pages <i>for Memo ISO Motion for Preliminary Injunction</i> by Gerardo Arriaga, Jenner Benavides, Winston Brown, David Fernandez, Scott James, Ajit Kumar. Responses due by 5/22/2020. (Reeves, Mark) (Entered: 05/08/2020)
05/08/2020	40	ORDER granting 35 Motion to Seal <i>Declaration Exhibit</i> . Signed by Magistrate Judge Benjamin W. Cheesbro on 05/08/2020. (MG) (Entered: 05/08/2020)
05/08/2020	41	***** MOTION for Preliminary Injunction <i>and Emergency Writ of Habeas Corpus</i> by Gerardo Arriaga, Jenner Benavides, Winston Brown, David Fernandez, Scott James, Ajit Kumar. Responses due by 5/22/2020. (Attachments: # 1 Briefs Memo ISO Motion for Preliminary Injunction and Emergency Writ of Habeas Corpus, # 2 Affidavit Declaration of Hillary Li, Esq., # 3 Exhibit Ex. 1 Declaration of Homer Venters, M.D.)(Reeves, Mark) (Entered: 05/08/2020)
05/08/2020	42	Minute Entry for proceedings held before Judge Lisa G. Wood: Telephone Status Conference held on 5/8/2020. (Court Reporter Debbie Gilbert.) (WS) (Entered: 05/08/2020)

05/08/2020		ORAL ORDER granting 38 Motion for Leave to Proceed Under Pseudonym and For a Protective Order; granting 39 Motion for Leave to File Excess Pages. Signed by Judge Lisa G. Wood on 05/08/2020. (WS) (Entered: 05/08/2020)
05/08/2020		TEXT ONLY NOTICE of Telephonic Status conference on Motion 37 MOTION for Emergency Inspection and Other Expedited Discovery In Support of Their Motion for Preliminary Injunction : Telephonic Status Conference set for 5/13/2020 03:00 PM in BWC Chambers before Magistrate Judge Benjamin W. Cheesbro. Counsel to receive dial-in instructions via email prior to hearing.(WS) (Entered: 05/08/2020)
05/08/2020		MOTIONS REFERRED: 37 MOTION for Emergency Inspection and Other Expedited Discovery In Support of Their Motion for Preliminary Injunction, pursuant to 42 . (MG) (Entered: 05/08/2020)
05/08/2020		Set/Reset Deadlines as to 37 MOTION for Emergency Inspection and Other Expedited Discovery In Support of Their Motion for Preliminary Injunction. Responses due by 5/11/2020, pursuant to 42 . (MG) (Entered: 05/08/2020)
05/08/2020		Set/Reset Deadlines as to 41 MOTION for Preliminary Injunction <i>and Emergency Writ of Habeas Corpus</i> . Responses due by 5/21/2020. Replies due by 5/22/2020, pursuant to 42 . (MG) (Entered: 05/08/2020)
05/11/2020		Motions No Longer Referred: 34 MOTION to Dismiss. (MG) (Entered: 05/11/2020)
05/11/2020	44	RESPONSE in Opposition re 37 MOTION for Emergency Inspection and Other Expedited Discovery In Support of Their Motion for Preliminary Injunction filed by Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf. (Leithart, Otto) (Entered: 05/11/2020)
05/12/2020	45	Brief in Support re 37 MOTION for Emergency Inspection and Other Expedited Discovery In Support of Their Motion for Preliminary Injunction , 41 MOTION for Preliminary Injunction <i>and Emergency Writ of Habeas Corpus</i> filed by Gerardo Arriaga, Jenner Benavides, Winston Brown, David Fernandez, Scott James, Ajit Kumar. (Attachments: # 1 Declaration of Gracie Willis, Esq., # 2 Exhibit 1 Dkt 52 Swain v. Miami-Dade County (20-cv-21457 S.D. Fla.), # 3 Exhibit 2 Dkt 53 Seth v. McDonough (20-cv-01028 D. Md.), # 4 Exhibit 3 Dkt 27 Cameron v. Bouchard (20-cv-10949 S.D. Mich.), # 5 Exhibit 4

		Dkt 53 Chun v. Edge (20-cv-01590 E.D. N.Y.), # 6 Exhibit 5 Dkt 72-1 Chun v. Edge (20-cv-01590 E.D. N.Y.))(Reeves, Mark) (Entered: 05/12/2020)
05/13/2020	46	Minute Entry for proceedings held before Magistrate Judge Benjamin W. Cheesbro. Telephonic Status Conference held on 5/13/2020. (Tape #BWC-CHAMBERS.) (km) (Entered: 05/14/2020)
05/14/2020		Set/Reset Deadlines: Status Report due by 5/18/2020, pursuant to 46 . (MG) (Entered: 05/14/2020)
05/18/2020		NOTICE OF HEARING BY ELECTRONIC MEANS on Motion 41 MOTION for Preliminary Injunction <i>and Emergency Writ of Habeas Corpus</i> : The Motion hearing will be held on 6/9/2020 09:00 AM in BWK-DistVTC before Judge Lisa G. Wood. Parties will receive login instructions via email. For Public access to this hearing, please dial 1-888-684-8852, enter the call access code 2296092 and enter the security code 1234.(WS) (Entered: 05/18/2020)
05/18/2020	47	MOTION to Dismiss <i>Amended Petition</i> by Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf. Responses due by 6/1/2020. (Attachments: # 1 Exhibit Interim CDC Guidance)(Leithart, Otto) (Entered: 05/18/2020)
05/18/2020	48	MOTION to Stay <i>Discovery</i> by Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf. Responses due by 6/1/2020. (Attachments: # 1 Text of Proposed Order)(Leithart, Otto) (Entered: 05/18/2020)
05/18/2020		MOTIONS REFERRED: 48 MOTION to Stay <i>Discovery</i> . (MG) (Entered: 05/18/2020)
05/18/2020	49	STATUS REPORT by Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf. (Leithart, Otto) (Entered: 05/18/2020)
05/18/2020	50	STATUS REPORT by Gerardo Arriaga, Jenner Benavides, Winston Brown, David Fernandez, Scott James, Ajit Kumar. (Attachments: # 1 Exhibit A - Second Supplemental Declaration of Homer Ventures, M.D.)(Reeves, Mark) (Entered: 05/18/2020)
05/19/2020	51	MOTION for Leave to Appear Pro Hac Vice <i>for Melissa Crow</i> Receipt Number AGASDC-2843721, Fee Amount \$200, by

		Gerardo Arriaga, Jenner Benavides, Winston Brown, David Fernandez, Scott James, Ajit Kumar. Responses due by 6/2/2020. (Attachments: # 1 Exhibit Certificate of Good Standing)(Reeves, Mark) (Entered: 05/19/2020)
05/19/2020		MOTIONS REFERRED: 51 MOTION for Leave to Appear Pro Hac Vice <i>for Melissa Crow</i> Receipt Number AGASDC-2843721, Fee Amount \$200. (MG) (Entered: 05/19/2020)
05/20/2020	52	TEXT ORDER granting 51 MOTION for Leave to Appear Pro Hac Vice by Melissa Crow. Mark H. Reeves has entered an appearance in this case and vouches he will satisfy the obligations of local counsel, as this Court's Local Rule 83.4 requires. Signed by Magistrate Judge Benjamin W. Cheesbro on May 20, 2020. (edd) (Entered: 05/20/2020)
05/20/2020	53	ORDER granting in part and denying in part 37 Motion for Emergency Inspection and Other Expedited Discovery. Signed by Magistrate Judge Benjamin W. Cheesbro on 5/20/2020. (ca) (Entered: 05/20/2020)
05/21/2020	54	MOTION for Extension of Time to File Response/Reply as to 41 MOTION for Preliminary Injunction <i>and Emergency Writ of Habeas Corpus</i> by Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf. Responses due by 6/4/2020. (Attachments: # 1 Text of Proposed Order)(Leithart, Otto) (Entered: 05/21/2020)
05/21/2020	55	ORDER granting 54 MOTION for Extension of Time to File Response/Reply as to 41 MOTION for Preliminary Injunction <i>and Emergency Writ of Habeas Corpus</i> . Responses due by 6/4/2020. Replies due by 6/5/2020. Signed by Judge Lisa G. Wood on 05/21/2020. (WS) (Entered: 05/21/2020)
05/22/2020		Set/Reset Deadlines as to 41 MOTION for Preliminary Injunction <i>and Emergency Writ of Habeas Corpus</i> . Responses due by 6/4/2020. Replies due by 6/5/2020. (MG) (Entered: 05/22/2020)
05/27/2020	56	OBJECTIONS to Petitioner's Requests for Production by Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf. (Attachments: # 1 Exhibit Petitioners' Requests for Production)(Leithart, Otto). Modified on 5/28/2020 (MG). (Entered: 05/27/2020)
05/27/2020		NOTICE of Hearing: Telephonic Status Conference set for 5/28/2020 01:30 PM in Chambers before Magistrate Judge

		Benjamin W. Cheesbro. Dial-in instructions will be provided by Courtroom Deputy Clerk prior to scheduled call. (km) (Entered: 05/27/2020)
05/28/2020	57	Minute Entry for proceedings held before Magistrate Judge Benjamin W. Cheesbro. Telephonic Status Conference held on 5/28/2020. (Tape #BWC-CHAMBERS.) (km) (Entered: 05/29/2020)
05/29/2020	58	MOTION for Leave to Appear Pro Hac Vice <i>for Caitlin J. Sandley</i> Receipt Number AGASDC-2852463, Fee Amount \$200, by Gerardo Arriaga, Jenner Benavides, Winston Brown, David Fernandez, Scott James, Ajit Kumar. Responses due by 6/12/2020. (Attachments: # 1 Certificate of Good Standing)(Reeves, Mark) (Additional attachment(s) added on 6/1/2020: # 2 Statement of Cases) (MG). (Entered: 05/29/2020)
05/29/2020	59	MOTION for Leave to Appear Pro Hac Vice <i>for Amanda N. Brouillette</i> Receipt Number AGASDC-2852490, Fee Amount \$200, by Jenner Benavides, Winston Brown, David Fernandez, Scott James, Ajit Kumar. Responses due by 6/12/2020. (Attachments: # 1 Certificate of Good Standing)(Reeves, Mark) (Additional attachment(s) added on 6/1/2020: # 2 Statement of Cases) (MG). (Entered: 05/29/2020)
06/01/2020		MOTIONS REFERRED: 58 MOTION for Leave to Appear Pro Hac Vice <i>for Caitlin J. Sandley</i> Receipt Number AGASDC-2852463, Fee Amount \$200. 59 MOTION for Leave to Appear Pro Hac Vice <i>for Amanda N. Brouillette</i> Receipt Number AGASDC-2852490, Fee Amount \$200. (MG) (Entered: 06/01/2020)
06/01/2020	60	TEXT ORDER granting 58 MOTION for Leave to Appear Pro Hac Vice by Caitlin J. Sandley. Mark H. Reeves has entered an appearance in this case and vouches he will satisfy the obligations of local counsel, as this Court's Local Rule 83.4 requires. Signed by Magistrate Judge Benjamin W. Cheesbro on June 1, 2020. (edd) (Entered: 06/01/2020)
06/01/2020	61	TEXT ORDER granting 59 MOTION for Leave to Appear Pro Hac Vice by Amanda N. Brouillette. Mark H. Reeves has entered an appearance in this case and vouches he will satisfy the obligations of local counsel, as this Court's Local Rule 83.4 requires. Signed by Magistrate Judge Benjamin W. Cheesbro on June 1, 2020. (edd) (Entered: 06/01/2020)

06/01/2020	<u>62</u>	RESPONSE in Opposition re <u>48</u> MOTION to Stay <i>Discovery</i> filed by Gerardo Arriaga, Jenner Benavides, Winston Brown, David Fernandez, Scott James, Ajit Kumar. (Reeves, Mark) (Entered: 06/01/2020)
06/01/2020	<u>63</u>	Consent MOTION for Protective Order by Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf. Responses due by 6/15/2020. (Attachments: # <u>1</u> Protective Order)(Leithart, Otto) Modified on 6/2/2020 (slt). (Entered: 06/01/2020)
06/01/2020	<u>64</u>	RESPONSE in Opposition re <u>47</u> MOTION to Dismiss <i>Amended Petition</i> filed by Gerardo Arriaga, Jenner Benavides, Winston Brown, David Fernandez, Scott James, Ajit Kumar. (Reeves, Mark) (Entered: 06/01/2020)
06/02/2020	<u>65</u>	NOTICE of Intent to Reply by Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf re <u>62</u> Response in Opposition to Motion. (Leithart, Otto) (Entered: 06/02/2020)
06/02/2020	<u>66</u>	NOTICE of Intent to Reply by Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf re <u>64</u> Response in Opposition to Motion. (Leithart, Otto) (Entered: 06/02/2020)
06/02/2020	<u>67</u>	ORDER granting <u>63</u> Motion for Protective Order. Signed by Magistrate Judge Benjamin W. Cheesbro on 6/2/2020. (ca) (Entered: 06/02/2020)
06/04/2020	<u>68</u>	MOTION for Leave to File <i>Under Seal</i> by Gerardo Arriaga, Jenner Benavides, Winston Brown, David Fernandez, Scott James, Ajit Kumar. Responses due by 6/18/2020. (Reeves, Mark) (Entered: 06/04/2020)
06/04/2020	<u>69</u>	RESPONSE in Opposition re <u>41</u> MOTION for Preliminary Injunction <i>and Emergency Writ of Habeas Corpus</i> filed by Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf. (Attachments: # <u>1</u> Exhibit Fontanazza Declaration, # <u>2</u> Exhibit Warren Declaration, # <u>3</u> Exhibit MDGA Order)(Leithart, Otto) (Entered: 06/04/2020)
06/05/2020	<u>70</u>	ORDER granting <u>68</u> Motion for Leave to File Under Seal. The Clerk is DIRECTED to permit Petitioners to file their reply brief and exhibits under seal. Petitioners may file a redacted version for

		public viewing by June 12, 2020. Signed by Judge Lisa G. Wood on 6/5/2020. (ca) (Entered: 06/05/2020)
06/05/2020		Set Deadlines: Compliance re Order 70 due by 6/12/2020. (ca) (Entered: 06/05/2020)
06/05/2020		NOTICE of Hearing: Telephonic Status Conference set for 6/5/2020 03:30 PM in Chambers before Magistrate Judge Benjamin W. Cheesbro. Dial-in instructions will be provided by Courtroom Deputy Clerk prior to the scheduled call. (km) (Entered: 06/05/2020)
06/05/2020	82	Minute Entry for proceedings held before Magistrate Judge Benjamin W. Cheesbro: Telephonic Status Conference held on 6/5/2020. (Tape #BWC-CHAMBERS.) (KM) (Entered: 06/15/2020)
06/08/2020	71	MOTION for Leave to File <i>Supplemental Evidence and Authority</i> by Gerardo Arriaga, Jenner Benavides, Winston Brown, David Fernandez, Scott James, Ajit Kumar. Responses due by 6/22/2020. (Attachments: # 1 Exhibit Supplemental Authority, # 2 Affidavit of Edin Yovani Pop Coy, # 3 Affidavit of Josue Serrano Serrano)(Li, Hillary) (Entered: 06/08/2020)
06/09/2020	72	Minute Entry for proceedings held before Judge Lisa G. Wood: Motion Hearing held on 6/9/2020 re 41 MOTION for Preliminary Injunction <i>and Emergency Writ of Habeas Corpus</i> filed by Gerardo Arriaga, David Fernandez, Winston Brown, Scott James, Ajit Kumar, Jenner Benavides. (Court Reporter Debbie Gilbert.) (WS) (Entered: 06/09/2020)
06/09/2020	73	NOTICE of Filing Exhibits <i>Under Seal</i> re 74 by Gerardo Arriaga, Jenner Benavides, Winston Brown, David Fernandez, Scott James, Ajit Kumar (Isted, Kathryn). Modified on 6/10/2020 (MG). (Additional attachment(s) added on 6/10/2020: # 1 Declaration of Caitlin J. Sandley, Esq- 6/5/2020, # 2 Exhibits 1-3) (MG). (Additional attachment(s) added on 6/10/2020: # 3 Exhibit 4, Part I) (MG). (Additional attachment(s) added on 6/10/2020: # 4 Exhibit 4, Part II) (MG). (Additional attachment(s) added on 6/10/2020: # 5 Exhibit 4, Part III) (MG). (Additional attachment(s) added on 6/10/2020: # 6 Exhibits 5-7) (MG). (Additional attachment(s) added on 6/10/2020: # 7 Exhibit 8, Part I) (MG). (Additional attachment(s) added on 6/10/2020: # 8 Exhibit 8, Part II) (MG). (Additional attachment(s) added on 6/10/2020: # 9 Exhibit 8, Part III) (MG). (Additional attachment(s) added on 6/10/2020: # 10 Exhibits 9-19) (MG). (Additional attachment(s) added on 6/11/2020: # 11 Declaration of Caitlin J. Sandley, Esq-

		6/9/2020, # 12 Exhibit 1, # 13 Exhibit 2) (MG). (Entered: 06/09/2020)
06/11/2020	75	MOTION for Leave to File <i>Supplemental Brief Under Seal</i> by Gerardo Arriaga, Jenner Benavides, Winston Brown, David Fernandez, Scott James, Ajit Kumar. Responses due by 6/25/2020. (Li, Hillary) (Entered: 06/11/2020)
06/11/2020	76	MOTION for Leave of Absence as to Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf for dates of : 07/06/2020-07/14/2020 by Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf. Responses due by 6/25/2020. (Leithart, Otto) (Entered: 06/11/2020)
06/12/2020	77	ORDER granting 75 MOTION for Leave to File Supplemental Brief Under Seal. Signed by Judge Lisa G. Wood on 06/12/2020. (MG) (Entered: 06/12/2020)
06/12/2020	78	Brief in Support re 41 MOTION for Preliminary Injunction <i>and Emergency Writ of Habeas Corpus</i> filed by Gerardo Arriaga, Jenner Benavides, Winston Brown, David Fernandez, Scott James, Ajit Kumar. (Reeves, Mark) (Entered: 06/12/2020)
06/12/2020		MOTIONS REFERRED: 76 MOTION for Leave of Absence as to Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf for dates of : 07/06/2020-07/14/2020 (slt) (Entered: 06/12/2020)
06/13/2020	79	REPLY to Response to Motion re 47 MOTION to Dismiss <i>Amended Petition</i> filed by Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf. (Leithart, Otto) (Entered: 06/13/2020)
06/15/2020	80	TEXT ORDER granting 76 Motion for Leave of Absence by Woelke Leithart for the dates of July 6, 2020 through and including July 14, 2020. Signed by Magistrate Judge Benjamin W. Cheesbro on June 15, 2020. (edd) (Entered: 06/15/2020)
06/15/2020	81	Supplemental Briefing in Support of 41 MOTION for Preliminary Injunction <i>and Emergency Writ of Habeas Corpus</i> , filed by Gerardo Arriaga, Jenner Benavides, Winston Brown, David Fernandez, Scott James, Ajit Kumar. (Attachments: # 1 Declaration of Caitlin J. Sandley, Esq.- 6/12/2020, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7) (MG) (Entered: 06/15/2020)

06/15/2020		ORAL ORDER granting 71 Motion for Leave to File - see minute entry at 72 . Signed by Judge Lisa G. Wood on 06/09/2020. (WS) (Entered: 06/15/2020)
06/15/2020	83	MOTION to Seal <i>Supplemental Brief</i> by Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf. Responses due by 6/29/2020. (Attachments: # 1 Text of Proposed Order)(Leithart, Otto) (Entered: 06/15/2020)
06/15/2020	84	REPLY to Response to Motion re 48 MOTION to Stay <i>Discovery</i> filed by Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf. (Leithart, Otto) (Entered: 06/15/2020)
06/16/2020	85	ORDER granting 83 Motion to Seal Supplemental Brief. Signed by Judge Lisa G. Wood on 6/16/2020. (ca) (Entered: 06/16/2020)
06/17/2020	86	Brief in Opposition to 41 MOTION for Preliminary Injunction <i>and Emergency Writ of Habeas Corpus</i> , filed by Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf. (MG) (Entered: 06/17/2020)
06/19/2020	87	Consent MOTION to Stay <i>Petitioners' Deadline to file Redacted Brief</i> by Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf. Responses due by 7/3/2020. (Attachments: # 1 Text of Proposed Order)(Leithart, Otto) (Entered: 06/19/2020)
06/19/2020	88	ORDER granting 87 Motion to Stay Petitioners' Deadline to file Redacted Brief. Signed by Judge Lisa G. Wood on 06/19/2020. (MG) (Entered: 06/19/2020)
07/08/2020	89	ORDER denying 41 Motion for Preliminary Injunction and Emergency Writ of Habeas Corpus. Respondents' evidentiary objections raised at the hearing are OVERRULED as moot insofar as they concern the Petitioners motion for preliminary relief. Signed by Judge Lisa G. Wood on 7/8/2020. (ca) (Entered: 07/08/2020)
07/13/2020	90	ORDER granting 48 Motion to Stay the parties discovery deadlines in this case. Signed by Magistrate Judge Benjamin W. Cheesbro on 7/13/2020. (ca) (Entered: 07/13/2020)
08/11/2020	91	ORDER re 47 MOTION to Dismiss <i>Amended Petition</i> . The Court orders the parties to submit supplemental briefing within seven (7)

		days of the date of this Order. Signed by Judge Lisa G. Wood on 08/11/2020. (MG) (Entered: 08/11/2020)
08/11/2020		Set/Reset Deadlines: Supplemental Briefing re 47 due by 8/18/2020. (MG) (Entered: 08/11/2020)
08/12/2020	92	NOTICE of Voluntary Dismissal by Gerardo Arriaga, Jenner Benavides, Winston Brown, David Fernandez, Scott James, Ajit Kumar (Li, Hillary) (Entered: 08/12/2020)
08/13/2020	93	ORDER that all claims asserted in this action are dismissed without prejudice. Each party shall bear its own fees and costs. This case will be stayed for sixty (60) days in order for the parties to submit motions and/or consent agreements regarding docket filing restrictions. Signed by Judge Lisa G. Wood on 08/13/2020. (MG) (Entered: 08/13/2020)
08/13/2020		Set/Reset Deadlines: Lift Stay/Compliance with 93 due by 10/12/2020. (MG) (Entered: 08/13/2020)
10/09/2020	94	Consent MOTION for Extension of Time to Continue Stay <i>at Dkt. 93</i> , by Gerardo Arriaga, Jenner Benavides, Winston Brown, David Fernandez, Scott James, Ajit Kumar. Responses due by 10/23/2020. (Li, Hillary) (Entered: 10/09/2020)
10/13/2020	95	ORDER granting 94 Motion for Extension of Time to Continue Stay. The Court extends the Stay of this case through November 11, 2020. The parties shall submit any motions and /or consent agreements regarding docket filing restrictions on or before that date. Signed by Judge Lisa G. Wood on 10/13/2020. (MG) (Entered: 10/13/2020)
10/13/2020		Set/Reset Deadlines: End of Stay/Motions regarding Docket Restrictions due by 11/11/2020. (MG) (Entered: 10/13/2020)
11/12/2020	96	Consent MOTION for Leave to File <i>Redacted Documents Publicly</i> by Gerardo Arriaga, Jenner Benavides, Winston Brown, David Fernandez, Scott James, Ajit Kumar. Responses due by 11/26/2020. (Li, Hillary) (Entered: 11/12/2020)
11/12/2020		MOTIONS REFERRED: 96 Consent MOTION for Leave to File <i>Redacted Documents Publicly</i> (slt) (Entered: 11/12/2020)
11/13/2020	97	ORDER granting 96 Motion for Leave to File Redacted Documents. Petitioners may file the redacted versions of the documents they identify in their Motion within seven days of this

		Order. Signed by Magistrate Judge Benjamin W. Cheesbro on November 13, 2020. (jrb) (Entered: 11/13/2020)
11/13/2020		Set/Reset Deadlines: Compliance due by 11/20/2020. (jrb) (Entered: 11/13/2020)
11/13/2020	98	NOTICE by Gerardo Arriaga, Jenner Benavides, Winston Brown, David Fernandez, Scott James, Ajit Kumar re 97 Order on Motion for Leave to File, <i>Filing Redacted Documents Publicly</i> (Attachments: # 1 Partial Deposition Transcript of Mr. Stephen Davis, # 2 Deposition Transcript of Warden Ronald Warren, # 3 Declaration of Dr. Homer Venters, # 4 Petitioners' Supp Briefing ISO PI, # 5 Respondents' Supp Briefing Opposing PI)(Li, Hillary) (Entered: 11/13/2020)
11/16/2020	99	ORDER that the Parties file, within seven days of this Order, a status update with the Court stating whether any issues remain. (Status Report due by 11/23/2020.) Signed by Judge Lisa G. Wood on 11/16/2020. (ca) (Entered: 11/16/2020)
11/17/2020	100	STATUS REPORT by Matthew T. Albence, Patrick Gartland, Thomas Giles, U.S Immigration and Customs Enforcement, Chad Wolf. (Leithart, Otto) (Entered: 11/17/2020)
11/18/2020	101	ORDER DISMISSING CASE. Petitioners having previously voluntarily dismissed this action without prejudice, dkt. nos. 92 , 93 . The Clerk is directed to close this case. Signed by Judge Lisa G. Wood on 11/18/2020. (MG) (Entered: 11/18/2020)

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PACER Login:	CRCClearinghouse	Client Code:	Peach
Description:	Docket Report	Search Criteria:	5:20-cv-00046-LGW-BWC
Billable Pages:	17	Cost:	1.70
Exempt flag:	Not Exempt	Exempt reason:	Not Exempt