

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:20-cv-00101-RCL**

N.S. v. HUGHES
Assigned to: Judge Royce C. Lamberth
Cause: 05:551 Administrative Procedure Act

Date Filed: 01/14/2020
Jury Demand: None
Nature of Suit: 899 Administrative
Procedure Act/Review or Appeal of
Agency Decision
Jurisdiction: Federal Question

Plaintiff

N.S.
*Individually and on behalf of all
others similarly situated*

represented by **Steven D. Marcus**
PUBLIC DEFENDER SERVICE
FOR THE DISTRICT OF
COLUMBIA
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

MICHAEL A. HUGHES
*United States Marshal, District of
Columbia (Superior Court), in his
official capacity*

represented by **Johnny Hillary Walker , III**
U.S. ATTORNEY'S OFFICE FOR
THE DISTRICT OF COLUMBIA
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JUSTICE CENTER**

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DISTRICT OF COLUMBIA

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Date Filed	#	Docket Text
01/14/2020	<u>1</u>	MOTION to Proceed Under Pseudonym by N.S. (jf) (Entered: 01/15/2020)
01/14/2020	<u>2</u>	ORDER granting <u>1</u> Motion for Leave to Proceed Under Pseudonym. Signed by Chief Judge Beryl A. Howell on 01/14/2020. (See Order for Full Detail) (jf) (Entered: 01/15/2020)
01/14/2020	<u>3</u>	COMPLAINT against MICHAEL A. HUGHES (Filing fee \$ 400, receipt number 4616102089) filed by N.S. (Attachments: # <u>1</u> Exhibits, # <u>2</u> Civil Cover Sheet, # <u>3</u> Sealed Complaint) (jf). (Entered: 01/15/2020)
01/14/2020	<u>4</u>	MOTION for Preliminary Injunction by N.S. (Attachments: # <u>1</u> Text of Proposed Order)(jf) (Entered: 01/15/2020)
01/14/2020	<u>5</u>	MOTION to Certify Class by N.S. (Attachments: # <u>1</u> Text of Proposed Order)(jf) (Entered: 01/15/2020)
01/14/2020		Summons (1) Issued as to MICHAEL A. HUGHES. (jf) (Entered: 01/15/2020)
01/15/2020	<u>6</u>	REQUEST FOR SUMMONS TO ISSUE filed by N.S..(Marcus, Steven) (Entered: 01/15/2020)

01/16/2020	<u>7</u>	SUMMONS (1) Issued Electronically as to U.S. Attorney General. (Attachment: # <u>1</u> Notice and Consent) (ztth) (Entered: 01/16/2020)
01/16/2020	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. MICHAEL A. HUGHES served on 1/15/2020 (Marcus, Steven) (Entered: 01/16/2020)
01/16/2020	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 1/16/2020. Answer due for ALL FEDERAL DEFENDANTS by 3/16/2020. (Marcus, Steven) (Entered: 01/16/2020)
01/17/2020	<u>10</u>	NOTICE of Appearance by Johnny Hillary Walker, III on behalf of MICHAEL A. HUGHES (Walker, Johnny) (Entered: 01/17/2020)
01/21/2020	<u>11</u>	Joint MOTION for Scheduling Order by N.S. (Attachments: # <u>1</u> Text of Proposed Order)(Marcus, Steven) Modified event on 1/27/2020 (znmw). (Entered: 01/21/2020)
01/22/2020	<u>12</u>	SEALED DOCUMENT filed by N.S.(This document is SEALED and only available to authorized persons.)(Marcus, Steven) (Entered: 01/22/2020)
01/27/2020	<u>13</u>	ORDER granting <u>11</u> Joint Motion for Scheduling Order. Defendant shall respond to plaintiff's motion for a preliminary injunction no later than 02/10/2020. Plaintiff shall reply no later than 02/14/2020. Defendant's time to respond to plaintiff's motion to certify a class is hereby stayed pending further order of the Court. The parties shall propose a briefing schedule on plaintiff's motion to certify a class within 5 days of the close of briefing on plaintiff's motion for a preliminary injunction. Signed by Judge Royce C. Lamberth on 01/27/2020. (lcrl3) (Entered: 01/27/2020)
01/28/2020		Set/Reset Deadlines: Responses due by 2/10/2020. Replies due by 2/14/2020. (lsj) (Entered: 01/28/2020)
01/31/2020	<u>14</u>	MOTION for Discovery by N.S. (Attachments: # <u>1</u> Text of Proposed Order)(Marcus, Steven) (Entered: 01/31/2020)
02/10/2020	<u>15</u>	ERRATA <i>Clarification to Motion to Proceed Under Pseudonym</i> by N.S. <u>1</u> MOTION to Proceed Under Pseudonym filed by N.S.. (Marcus, Steven) (Entered: 02/10/2020)
02/10/2020	<u>16</u>	Memorandum in opposition to re <u>4</u> MOTION for Preliminary Injunction filed by MICHAEL A. HUGHES. (Attachments:

		# 1 Exhibit 1: USMS (D.C. Superior Court), Cellblock Standard Operating Procedures (Oct. 1, 2019))(Walker, Johnny) (Entered: 02/10/2020)
02/10/2020	17	SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by MICHAEL A. HUGHES (This document is SEALED and only available to authorized persons.) (Attachments: # 1 Unredacted Opposition to Plaintiff's Motion for Preliminary Injunction, # 2 Text of Proposed Order)(Walker, Johnny) (Entered: 02/10/2020)
02/14/2020	18	Memorandum in opposition to re 14 MOTION for Discovery filed by MICHAEL A. HUGHES. (Walker, Johnny) (Entered: 02/14/2020)
02/14/2020	19	REPLY to opposition to motion re 4 MOTION for Preliminary Injunction filed by N.S.. (Marcus, Steven) (Entered: 02/14/2020)
02/20/2020	20	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 01/21/2020. (Marcus, Steven) (Entered: 02/20/2020)
02/21/2020	21	MOTION for Leave to File <i>Amicus Brief</i> by NATIONAL IMMIGRANT JUSTICE CENTER (Attachments: # 1 Proposed Amicus Brief, # 2 Appendix to Amicus Brief, # 3 Keren Zwick Appearance, # 4 Appearance Appendix)(Zwick, Keren) (Entered: 02/21/2020)
02/24/2020	22	Joint MOTION for Scheduling Order <i>for Class Certification Briefing</i> by N.S. (Attachments: # 1 Text of Proposed Order)(Marcus, Steven) (Entered: 02/24/2020)
02/24/2020	23	MOTION for Leave to File <i>Amicus Curiae Brief</i> by DISTRICT OF COLUMBIA (Attachments: # 1 Amicus Curiae Brief)(Lake, James) (Entered: 02/24/2020)
03/03/2020	24	ORDER granting 22 Joint Motion for Scheduling Order. Signed by Judge Royce C. Lamberth on 03/03/2020. (lcrcl3) (Entered: 03/03/2020)
03/03/2020	26	SEALED OPPOSITION filed by MICHAEL A. HUGHES re 4 MOTION for Preliminary Injunction (zjf) (Entered: 03/04/2020)

03/04/2020	<u>27</u>	Memorandum in opposition to re <u>5</u> MOTION to Certify Class filed by MICHAEL A. HUGHES. (Attachments: # <u>1</u> Exhibit 1)(Walker, Johnny) (Entered: 03/04/2020)
03/16/2020	<u>28</u>	ANSWER to <u>3</u> Complaint by MICHAEL A. HUGHES.(Walker, Johnny) (Entered: 03/16/2020)
03/18/2020	<u>29</u>	REPLY to opposition to motion re <u>5</u> MOTION to Certify Class filed by N.S.. (Attachments: # <u>1</u> Exhibit McCoy Decl., # <u>2</u> Exhibit Hirst Decl., # <u>3</u> Exhibit Supp. White Decl., # <u>4</u> Exhibit Supp. D'Adamo Decl.)(Marcus, Steven) (Entered: 03/18/2020)
03/26/2020		MINUTE ORDER granting <u>21</u> Motion for Leave to File Amicus Brief by National Immigration Justice Center. In accordance with Local Civil Rule 7(o)(1), the Court also accepts the Amicus Brief filed by the District of Columbia. Any supplemental memoranda in response to these Amicus Briefs shall be filed within 10 days of this date. Signed by Judge Royce C. Lamberth on 03/26/2020. (lcrcl3) (Entered: 03/26/2020)
03/26/2020	<u>30</u>	NOTICE of Appearance by Keren Hart Zwick on behalf of NATIONAL IMMIGRANT JUSTICE CENTER (zjf) (Entered: 03/27/2020)
03/26/2020	<u>31</u>	AMICUS BRIEF by NATIONAL IMMIGRANT JUSTICE CENTER. (jf) (Entered: 03/27/2020)
03/26/2020	<u>35</u>	AMICUS BRIEF by DISTRICT OF COLUMBIA. (znmw) (Entered: 04/17/2020)
04/03/2020	<u>32</u>	Unopposed MOTION for Extension of Time to File Response/Reply by MICHAEL A. HUGHES (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 04/03/2020)
04/04/2020		MINUTE ORDER granting <u>32</u> Consent Motion for Extension of Time to File. Defendant shall file any response to the amicus briefs no later than 04/10/2020. Signed by Judge Royce C. Lamberth on 04/04/2020. (lcrcl3) (Entered: 04/04/2020)
04/10/2020	<u>33</u>	Unopposed MOTION for Extension of Time to File Response/Reply by MICHAEL A. HUGHES (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 04/10/2020)

04/10/2020		MINUTE ORDER granting 33 Unopposed Motion for Extension of Time to File Response. Defendant shall file any response to the amicus briefs no later than 04/15/2020. Signed by Judge Royce C. Lamberth on 04/10/2020. (lcrcl3) (Entered: 04/10/2020)
04/15/2020	34	RESPONSE re 31 Amicus Brief, 35 Amicus Brief filed by MICHAEL A. HUGHES. (Walker, Johnny) Modified links on 4/17/2020 (znmw). (Entered: 04/15/2020)
04/16/2020		MINUTE ORDER: Because defendant's response to the amicus briefs 34 contains new legal arguments that were not raised in defendant's opposition to plaintiff's motion for a preliminary injunction, plaintiff is hereby permitted to respond to 34 . Signed by Judge Royce C. Lamberth on 04/16/2020. (lcms) (Entered: 04/16/2020)
04/22/2020	36	Consent MOTION for Scheduling Order <i>for Plaintiff's Response to Defendant's Amicus Response</i> by N.S. (Attachments: # 1 Text of Proposed Order)(Marcus, Steven) (Entered: 04/22/2020)
04/23/2020	37	ORDER granting 36 Consent Motion for Scheduling Order. Plaintiff's response to defendant's response to the amicus briefs shall be filed no later than 05/04/2020. Signed by Judge Royce C. Lamberth on 04/23/2020. (lcrcl3) (Entered: 04/23/2020)
04/24/2020		Set/Reset Deadlines: Responses due by 5/4/2020 (lsj) (Entered: 04/24/2020)
05/04/2020	38	RESPONSE re 34 Response to Document (<i>Amici Briefs</i>) filed by N.S.. (Marcus, Steven) (Entered: 05/04/2020)
05/07/2020	39	MEMORANDUM OPINION. Signed by Judge Royce C. Lamberth on 05/07/2020. (lcrcl3) (Entered: 05/07/2020)
05/07/2020	40	ORDER granting 4 Motion for Preliminary Injunction; granting 5 Motion to Certify Class; denying 14 Motion for Expedited Discovery. Signed by Judge Royce C. Lamberth on 05/07/2020. (lcrcl3) (Entered: 05/07/2020)
06/04/2020	41	MOTION for Reconsideration re 39 Memorandum & Opinion, 40 Order on Motion for Preliminary Injunction, Order on Motion to Certify Class, Order on Motion for Discovery by MICHAEL A. HUGHES (Attachments: # 1 Memorandum in Support, # 2 Exhibit : Order No. 2622-2002, Delegation of Authority to the United States Marshals Service to Exercise the

		Powers and Duties of Immigration Officers (Oct. 17, 2002), # 3 Text of Proposed Order)(Walker, Johnny) (Entered: 06/04/2020)
06/11/2020	42	Unopposed MOTION for Extension of Time to <i>File a Notice of Appeal</i> by MICHAEL A. HUGHES (Attachments: # 1 Text of Proposed Order)(Walker, Johnny) (Entered: 06/11/2020)
06/15/2020	43	Consent MOTION for Extension of Time to File Response/Reply as to 41 MOTION for Reconsideration re 39 Memorandum & Opinion, 40 Order on Motion for Preliminary Injunction, Order on Motion to Certify Class, Order on Motion for Discovery by N.S. (Attachments: # 1 Text of Proposed Order)(Marcus, Steven) (Entered: 06/15/2020)
06/15/2020	44	ORDER granting 42 Motion for Extension of Time to File Notice of Appeal. Defendant's time is extended until 08/05/2020. Signed by Judge Royce C. Lamberth on 06/15/2020. (lcrl3) (Entered: 06/15/2020)
06/15/2020	45	ORDER granting 43 Consent Motion for Extension of Time to File Response. Plaintiff shall respond to defendant's Motion for Reconsideration no later than 07/02/2020. Signed by Judge Royce C. Lamberth on 06/15/2020. (lcrl3) (Entered: 06/15/2020)
06/16/2020		Set/Reset Deadlines: Notice of Appeal due by 8/5/2020. (lsj) (Entered: 06/16/2020)
07/02/2020	46	Memorandum in opposition to re 41 MOTION for Reconsideration re 39 Memorandum & Opinion, 40 Order on Motion for Preliminary Injunction, Order on Motion to Certify Class, Order on Motion for Discovery filed by N.S.. (Attachments: # 1 Exhibit A - Sample Extradition Warrant, # 2 Exhibit B - Sample Custodial Warrant)(Marcus, Steven) (Entered: 07/02/2020)
07/09/2020	47	Unopposed MOTION for Extension of Time to File Response/Reply as to 41 MOTION for Reconsideration re 39 Memorandum & Opinion, 40 Order on Motion for Preliminary Injunction, Order on Motion to Certify Class, Order on Motion for Discovery by MICHAEL A. HUGHES (Attachments: # 1 Text of Proposed Order)(Walker, Johnny) (Entered: 07/09/2020)
07/09/2020	48	ORDER granting 47 Unopposed Motion for Extension of Time to File Reply. Defendant shall file its reply in support of its Motion for

		Reconsideration no later than 07/10/2020. Signed by Judge Royce C. Lamberth on 07/09/2020. (lcrcl3) (Entered: 07/09/2020)
07/10/2020	49	REPLY to opposition to motion re 41 MOTION for Reconsideration re 39 Memorandum & Opinion, 40 Order on Motion for Preliminary Injunction, Order on Motion to Certify Class, Order on Motion for Discovery filed by MICHAEL A. HUGHES. (Walker, Johnny) (Entered: 07/10/2020)
07/24/2020	50	MEMORANDUM OPINION. Signed by Judge Royce C. Lamberth on 07/24/2020. (lcrcl3) (Entered: 07/24/2020)
07/24/2020	51	ORDER denying 41 Motion for Reconsideration. Signed by Judge Royce C. Lamberth on 07/24/2020. (lcrcl3) (Entered: 07/24/2020)
08/28/2020	52	ENTERED IN ERROR.....Joint MOTION for Briefing Schedule by MICHAEL A. HUGHES (Attachments: # 1 Text of Proposed Order)(Walker, Johnny) Modified on 8/28/2020 (zjf). (Entered: 08/28/2020)
08/28/2020		NOTICE OF CORRECTED DOCKET ENTRY: Document No. re 52 Joint MOTION for Briefing Schedule was entered in error and counsel was instructed to refile said pleading in the correct case. (zjf) (Entered: 08/28/2020)
08/28/2020	53	Joint MOTION for Briefing Schedule by MICHAEL A. HUGHES (Attachments: # 1 Text of Proposed Order)(Walker, Johnny) (Entered: 08/28/2020)
08/28/2020	54	ORDER granting 53 Motion for Briefing Schedule; Set/Reset Deadlines: Administrative Record due by 9/18/2020. Plaintiff's Summary Judgment Motion due by 10/23/2020. Defendant's Cross-Motion for Summary Judgment and Response due by 11/13/2020. Plaintiff's Response and Reply due by 12/4/2020. Defendant's Reply in support of his Cross-Motion for Summary Judgment due by 01/08/2021. Signed by Judge Royce C. Lamberth on 08/28/2020. (lcrcl3) (Entered: 08/28/2020)
09/17/2020	55	Consent MOTION to Modify <i>the Briefing Schedule</i> by MICHAEL A. HUGHES (Attachments: # 1 Text of Proposed Order)(Walker, Johnny) (Entered: 09/17/2020)
09/18/2020	56	ORDER granting 55 Motion to Modify; Set/Reset Deadlines: Administrative Record due by 10/2/2020. Plaintiff's Summary Judgment Motion due by 11/6/2020. Defendant's Cross-Motion for Summary Judgment and Response to Plaintiff's Motion for

		Summary Judgment due by 12/4/2020. Plaintiff's Response to Defendant's Cross-Motion for Summary Judgment and Reply in Support of his Motion for Summary Judgment due by 12/29/2020. Defendant's Reply in Support of his Cross-Motion for Summary Judgment due by 2/2/2021. Signed by Judge Royce C. Lamberth on 09/18/2020. (lcrl3) (Entered: 09/18/2020)
09/28/2020	57	MOTION to Clarify re 40 Order on Motion for Preliminary Injunction, Order on Motion to Certify Class, Order on Motion for Discovery by N.S. (Attachments: # 1 Exhibit D'Adamo Declaration, # 2 Text of Proposed Order)(Marcus, Steven) (Entered: 09/28/2020)
10/02/2020	58	Consent MOTION to Modify <i>the Briefing Schedule</i> by MICHAEL A. HUGHES (Attachments: # 1 Text of Proposed Order)(Walker, Johnny) (Entered: 10/02/2020)
10/07/2020	59	ORDER granting 58 Motion to Modify Briefing Schedule; Set/Reset Deadlines: Administrative Record due by 10/16/2020. Plaintiff's Summary Judgment Motion due by 11/20/2020. Defendant's Response and Cross-Motion for Summary Judgment due by 12/18/2020. Plaintiff's Reply and Opposition to Cross-Motion for Summary Judgment due by 1/12/2021. Defendant's Reply due by 2/16/2021. Signed by Judge Royce C. Lamberth on 10/07/2020. (lcrl3) (Entered: 10/07/2020)
10/10/2020	60	Unopposed MOTION for Extension of Time to File Response/Reply as to 57 MOTION to Clarify re 40 Order on Motion for Preliminary Injunction, Order on Motion to Certify Class, Order on Motion for Discovery by MICHAEL A. HUGHES (Attachments: # 1 Text of Proposed Order)(Walker, Johnny) (Entered: 10/10/2020)
10/14/2020	61	ORDER granting 60 Motion for Extension of Time to File Response as to 57 MOTION to Clarify re 40 Order on Motion for Preliminary Injunction, Order on Motion to Certify Class, Order on Motion for Discovery ; Set/Reset Deadlines: Response due by 10/20/2020. Signed by Judge Royce C. Lamberth on 10/14/2020. (lcrl3) (Entered: 10/14/2020)
10/16/2020	62	Unopposed MOTION to Modify <i>the Briefing Schedule</i> by MICHAEL A. HUGHES (Attachments: # 1 Text of Proposed Order)(Walker, Johnny) (Entered: 10/16/2020)
10/19/2020	63	Unopposed MOTION for Extension of Time to File Response/Reply as to 57 MOTION to Clarify re 40 Order on Motion for Preliminary Injunction, Order on Motion to Certify Class, Order on Motion for Discovery by MICHAEL A. HUGHES

		(Attachments: # 1 Text of Proposed Order)(Walker, Johnny) (Entered: 10/19/2020)
10/21/2020	64	ORDER granting 63 Motion for Extension of Time to File Response as to 57 MOTION to Clarify re 40 Order on Motion for Preliminary Injunction, Order on Motion to Certify Class, Order on Motion for Discovery ; Set/Reset Deadlines: Response due by 10/23/2020. Signed by Judge Royce C. Lamberth on 10/21/2020. (lcrcl3) (Entered: 10/21/2020)
10/21/2020	65	ORDER granting 62 Motion to Modify. The Court ORDERS that the Administrative Record due by 10/30/2020. Plaintiff's Summary Judgment Motion due by 12/4/2020. Defendant's Response and Cross-Motion for Summary Judgment due by 1/4/2021. Plaintiff's Reply and Response to Cross-Motion for Summary Judgment due by 1/29/2021. Defendant's Reply due 3/5/2021. Signed by Judge Royce C. Lamberth on 10/21/2020. (lcrcl3) Modified on 10/21/2020 (nbn). (Entered: 10/21/2020)
10/23/2020	66	Memorandum in opposition to re 57 MOTION to Clarify re 40 Order on Motion for Preliminary Injunction, Order on Motion to Certify Class, Order on Motion for Discovery filed by MICHAEL A. HUGHES. (Attachments: # 1 Declaration of Robert Brandt, # 2 Text of Proposed Order)(Walker, Johnny) (Entered: 10/23/2020)
10/27/2020	67	Consent MOTION for Extension of Time to File Response/Reply as to 57 MOTION to Clarify re 40 Order on Motion for Preliminary Injunction, Order on Motion to Certify Class, Order on Motion for Discovery by N.S. (Attachments: # 1 Text of Proposed Order)(Marcus, Steven) (Entered: 10/27/2020)
10/28/2020	68	ORDER granting 67 Motion for Extension of Time to File Reply as to 57 MOTION to Clarify re 40 Order on Motion for Preliminary Injunction, Order on Motion to Certify Class, Order on Motion for Discovery ; Set/Reset Deadlines: Reply due by 11/6/2020. Signed by Judge Royce C. Lamberth on 10/28/2020. (lcrcl3) (Entered: 10/28/2020)

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