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**U.S. District Court
Western District of Virginia (Roanoke)
CIVIL DOCKET FOR CASE #: 7:20-cv-00401-GEC**

Luciani v. Virginia State Board of Elections et al
Assigned to: Senior Judge Glen E. Conrad
Case in other court: UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRC, 20-01866
Cause: 42:1983 Civil Rights Act

Date Filed: 07/13/2020
Date Terminated: 10/16/2020
Jury Demand: None
Nature of Suit: 441 Civil Rights: Voting
Jurisdiction: Federal Question

Plaintiff

Aaron Luciani
*Independent Candidate for U.S. House of
Representatives,
lucianiaaron44@gmail.com*

represented by **Aaron Luciani**
2034 Purcell Ave
Roanoke, VA 24012
540-761-2589
PRO SE

V.

Defendant**Virginia State Board of Elections**

represented by **Carol Louise Lewis**
Office of the Attorney General of Virginia -
Richmond
202 North Ninth Street
Richmond, VA 23219
804-692-0558
Fax: 804-786-2650
Email: clewis@oag.state.va.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Heather Hays Lockerman
Office of the Attorney General
Financial Law and Government Support
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202 North Ninth Street
Richmond, VA 23219
804-786-0067
Fax: 804-517-6147
Email: hlockerman@oag.state.va.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Robert H. Brink**represented by **Carol Louise Lewis**

*Chairman of the State Board of Elections, in
his official capacity*

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Heather Hays Lockerman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

John O'Bannon
*Vice-chairman of the State Board of
Elections, in his official capacity*

represented by **Carol Louise Lewis**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Heather Hays Lockerman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Jamilah D. Lecruise
*Secretary of the State Board of Elections, in
her official capacity*

represented by **Carol Louise Lewis**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Heather Hays Lockerman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Christopher E. Piper
*"Chris", Commissioner of the State Board of
Elections, in his official capacity*

represented by **Carol Louise Lewis**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Heather Hays Lockerman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Jessica Bowman
*Deputy Commissioner of the State Board of
Elections, in her official capacity*

represented by **Carol Louise Lewis**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Heather Hays Lockerman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/13/2020	<u>1</u>	MOTION for Leave to Proceed in forma pauperis by Aaron Luciani. (ams)
07/13/2020	<u>2</u>	COMPLAINT against Jessica Bowman, Robert H. Brink, Jamilah D. Lecruise, John O'Bannon, Christopher E. "Chris" Piper, Virginia State Board of Elections, filed by Aaron Luciani. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Civil Cover Sheet, # <u>3</u> Drop Box Sheet)(ams) (Additional attachment(s) added on 7/13/2020: # <u>4</u> Proposed Summons) (ams). Modified on 7/13/2020 to add proposed summons as attachment(ams).
07/13/2020	<u>3</u>	MOTION for Temporary Restraining Order by Aaron Luciani. (Attachments: # <u>1</u> Text of Proposed Order)(ams)
07/13/2020	<u>4</u>	Brief / Memorandum in Support re <u>3</u> MOTION for Temporary Restraining Order. filed by Aaron Luciani. (ams)
07/13/2020	<u>5</u>	ORDER granting <u>1</u> Motion for Leave to Proceed in forma pauperis. If needed, forms may also be found at www.vawd.uscourts.gov/forms.aspx Signed by Senior Judge Glen E. Conrad on 7/13/2020. (Order mailed to Pro Se Party via US Mail)(ams)
07/13/2020	<u>6</u>	Summons Issued as to Virginia State Board of Elections.(Attachments: # <u>1</u> Summons Issued as to Jamilah D. Lecruise, # <u>2</u> Summons Issued as to Robert H. Brink, # <u>3</u> Summons Issued as to Jessica Bowman, # <u>4</u> Summons Issued as to Christopher E. Piper)(ams) (Attachment 3 replaced on 7/14/2020) (ams). (Attachment 4 replaced on 7/14/2020) (ams). Modified on 7/14/2020 Replaced deficient/incorrect pdf document with corrected pdf document (ams). (Entered: 07/14/2020)
07/14/2020	<u>7</u>	Summons Issued as to John O'Bannon & delivered to USM for service/IFP Order 7/13/2020. (Attachments: # <u>1</u> USM 285 for Deft O'Bannon)(ssm)
07/20/2020	<u>8</u>	SUMMONS Returned Executed by Aaron Luciani. Jessica Bowman served on 7/20/2020, answer due 8/10/2020; Robert H. Brink served on 7/20/2020, answer due 8/10/2020; Jamilah D. Lecruise served on 7/20/2020, answer due 8/10/2020; John O'Bannon served on 7/20/2020, answer due 8/10/2020; Christopher E. Piper served on 7/20/2020, answer due 8/10/2020; Virginia State Board of Elections served on 7/20/2020, answer due 8/10/2020. (Attachments: # <u>1</u> Process Receipt and Return USM 285)(ams) (Main Document 8 replaced on 7/27/2020 with corrected pdf from USMS) (ck). (Entered: 07/21/2020)
07/21/2020	<u>9</u>	NOTICE of Appearance by Carol Louise Lewis on behalf of Jessica Bowman, Robert H. Brink, Jamilah D. Lecruise, John O'Bannon, Christopher E. Piper, Virginia State Board of Elections (Lewis, Carol)
07/21/2020	<u>10</u>	NOTICE of Appearance by Heather Hays Lockerman on behalf of Jessica Bowman, Robert H. Brink, Jamilah D. Lecruise, John O'Bannon, Christopher E. Piper, Virginia State Board of Elections (Lockerman, Heather)
07/29/2020	<u>11</u>	Minute Entry for proceedings held before Senior Judge Glen E. Conrad: Telephonic Motion Hearing held on 7/29/2020 re <u>3</u> MOTION for Temporary Restraining Order filed by Aaron Luciani. Ruling to follow. (Court Reporter: Mary Butenschoen) (ssm)
07/30/2020	<u>12</u>	ORDER granting in part <u>3</u> Motion for TRO and enjoining the signature requirements as set forth in the Order up to 08/01/2020 @ 7 pm. Signed by Senior Judge Glen E. Conrad on 07/30/2020. (Order e-mailed to Pro Se Party)(ssm)
08/04/2020	<u>13</u>	Emergency Motion to Amend Order and Judgment. (ams) (Main Document 13 replaced on 8/4/2020) (ams).Modified on 8/4/2020 (ams). Replaced deficient/incorrect pdf document with corrected pdf document
08/05/2020	14	NOTICE of Telephonic Hearing on Motion <u>13</u> MOTION to Amend/Correct <u>12</u> Order on

		Motion for TRO : (CR) (No Interpreter requested) Telephonic Motion Hearing set for 8/6/2020 01:00 PM before Senior Judge Glen E. Conrad. (Notice emailed to Pro Se Party and Dial In instructions emailed to all)(ssm)
08/06/2020	15	Brief / Memorandum in Opposition re 13 MOTION to Amend/Correct 12 Order on Motion for TRO . filed by Jessica Bowman, Robert H. Brink, Jamilah D. Lecruise, John O'Bannon, Christopher E. Piper, Virginia State Board of Elections. (Attachments: # 1 Exhibit) (Lockerman, Heather)
08/06/2020	16	Minute Entry for proceedings held before Senior Judge Glen E. Conrad: Telephonic Motion Hearing held on 8/6/2020 re 13 MOTION to Amend/Correct 12 Order on Motion for TRO filed by Aaron Luciani. (Court Reporter: JoRita Meyer) (ssm)
08/07/2020	17	ORDER denying 13 Emergency Motion to Amend/Correct Order and Judgment entered July 30, 2020. Signed by Senior Judge Glen E. Conrad on 08/06/2020. (Order emailed to Aaron Luciani, Pro Se at email address of record.)(ssm)
08/07/2020	18	NOTICE OF INTERLOCUTORY APPEAL re Order 17 by Aaron Luciani. Appeal Record due by 9/8/2020. (ams) Modified on 8/7/2020 (ams). Docket text was modified to reflect the correct docket entry.
08/07/2020	19	Transmittal of Notice of Interlocutory Appeal to 4CCA re 18 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. (ams) (Main Document 19 replaced on 8/7/2020) (ams). Modified on 8/7/2020 (ams). Docket text was modified to reflect the correct docket entry Replaced deficient/incorrect pdf document with corrected pdf document
08/07/2020		Assembled Electronic Record Transmitted to 4CCA re 18 Notice of Interlocutory Appeal (ams)
08/07/2020		19 Transmittal of Notice of Appeal to 4CCA,, 18 Notice of Appeal, 17 Order on Motion to Amend/Correct mailed to Pro Se Party via US Mail (ams)
08/10/2020	20	MOTION to Dismiss by Jessica Bowman, Robert H. Brink, Jamilah D. Lecruise, John O'Bannon, Christopher E. Piper, Virginia State Board of Elections. (Attachments: # 1 Exhibit Exhibit A)(Lewis, Carol)
08/11/2020	21	NOTICE of Docketing Record on Appeal from USCA re 18 Notice of Appeal filed by Aaron Luciani. USCA Case Number 20-1866. Case Manager: Cathy Tyree Herb. (ams)
08/11/2020	22	Roseboro Notice re 20 MOTION to Dismiss Deadline set for 9/4/2020. (Notice mailed to Pro Se Party via US Mail)(ams)
08/12/2020	23	PLAINTIFF'S URGENT MOTION TO STAY FURTHER PROCEEDINGS, CERTIFY ORDERAND ACCOMPANYING MEMORANDUM by Aaron Luciani. (ams)
08/14/2020	24	ORDER DIRECTING that the court's August 7, 2020 order, ECF No. 17, be CERTIFIED FOR APPEAL under 28 U.S.C. § 1292(b) and STAYING any litigation deadlines in this case pending the resolution of Luciani's appeal filed August 7, 2020 at ECF No. 18. Signed by Senior Judge Glen E. Conrad on 08/14/2020. (Order e-mailed to Pro Se Party, Fourth Circuit Court of Appeals, and 4CCA Docket Clerk for 20-1866 via ECF)(ssm)
08/26/2020	25	USCA Memorandum Opinion from 4th Circuit re 18 Notice of Appeal affirming decided on 08/26/2020 (ams)
08/26/2020	26	USCA JUDGMENT as to 18 Notice of Appeal filed by Aaron Luciani (ams)

09/17/2020	27	MANDATE of USCA as to 18 Notice of Appeal filed by Aaron Luciani. (ams)
09/17/2020	28	ORDER LIFTING STAY. Signed by Senior Judge Glen E. Conrad on 09/17/2020. (Order mailed to Pro Se Party via US Mail)(ams)
09/22/2020		IMPORTANT NOTICE: The United States District Court for the Western District of Virginia (WDVA) will be going live on the Next Generation of CM/ECF (NextGen CM/ECF) Tuesday, October 13, 2020 . Preparing for NextGen CM/ECF is a two-step process. Step One is that each attorney must upgrade their individual PACER account, no shared accounts within firms will be allowed. Check and see if your PACER account is an "Upgraded" PACER account. Many PACER accounts have already been upgraded. If any of the following is true, you have an upgraded PACER account and no action is required until after the VAWD NextGen CM/ECF upgrade on October 13, 2020 : 1) You have an upgraded PACER account for another NextGen Court or 2) Your PACER account was created after August 10, 2014. If none of these are true, you must upgrade your legacy PACER account before you will be able to link your PACER account to your VAWD CM/ECF account for your new NextGen CM/ECF account. Click here to learn how to upgrade your PACER Account. If you still have questions regarding your PACER account, please contact the PACER Service Center 800- 676-6856. Complete information regarding the WDVA NextGen CM/ECF implementation can be found at NextGen Information . (mzc) (ADI)
09/29/2020		IMPORTANT NOTICE: The Western District of Virginia will be going live on NextGen CM/ECF Tuesday, October 13, 2020 . This is a Two-Step process. In Step one each attorney was to make sure they had an upgraded individual PACER account. Now in preparation for Step Two please make sure you know your VAWD CM/ECF username and password. Please manually log in to the VAWD CM/ECF system at https://ecf.vawd.uscourts.gov/cgi-bin/login.pl to make sure you know your current VAWD CM/ECF username and password. (do not rely on the auto-populating in your browser, because you will have to manually enter your CM/ECF username and password during the linking process after we go live on NextGen.) If you do not know your username or password please email ecf@vawd.uscourts.gov and include your bar# and contact phone#. (ADI) (mzc)
10/06/2020		IMPORTANT NOTICE: The Western District of Virginia will be going live on NextGen CM/ECF Tuesday, October 13, 2020 . The VAWD CM/ECF system will be unavailable from 8:00 am, October 10, 2020, through 8:00 am on Tuesday October 13, 2020. Preparing for NextGen CM/ECF is a two-step process. Step one was to upgrade your PACER account. Each attorney should have their own individual Upgraded PACER account at this time. Step two will be to link your upgraded PACER account to your VAWD CM/ECF account after the Court goes live on NextGen CM/ECF October 13, 2020. Instructions for linking your account can be found by clicking here . Remember you cannot link your accounts until on or after the court goes live on NextGen October 13, 2020. If you have any additional questions please call the VAWD Clerks Office at 540-857-5100 or email ecf@vawd.uscourts.gov . (ADI) (mzc)
10/16/2020	29	ORDER DISMISSING CASE. Signed by Senior Judge Glen E. Conrad on 10/16/2020. (Order mailed to Pro Se Party via US Mail)(ams)

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