

CLOSED, ICMS, RELATE

**U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:99-cv-02257-SI**

Kim v. Schiltgen, et al
Assigned to: Judge Susan Illston
Demand: \$0
Cause: 28:2241 Petition for Writ of Habeas Corpus

Date Filed: 05/17/1999
Date Terminated: 08/11/1999
Jury Demand: None
Nature of Suit: 530 Habeas Corpus
(General)
Jurisdiction: U.S. Government Defendant

Petitioner**Hyung Joon Kim**

represented by **Peter I. Hwang**
3550 Wilshire Blvd.
Suite 640
Los Angeles, CA 90010
(213) 384-8602
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Respondent**US Dir INS Thomas Schiltgen**

represented by **Robert Swan Mueller, III**
United States Attorney
450 Golden Gate Avenue
Box 36055
San Francisco, CA 94102
(415)436-6816
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Robert Yeargin
U.S. Attorney's Office
450 Golden Gate Avenue
P.O. Box 36055
San Francisco, CA 94102
(415)436-7200
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Respondent

Attorney General Janet Reno

represented by **Robert Swan Mueller, III**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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

Date Filed	#	Docket Text
05/17/1999	1	PETITION FOR WRIT OF HABEAS CORPUS (no process) Fee status pd entered on 5/17/99 in the amount of \$ 5.00 (Receipt No. 3301112) [3:99-cv-02257] (lh, COURT STAFF) (Entered: 05/21/1999)
05/28/1999	2	ORDER TO SHOW CAUSE by Magistrate Judge Elizabeth D. Laporte: Respondents shall file a answer showing cause why a writ of habeas corpus should not be issued no later than 6/16/99 ; hearing set for 10:30 7/8/99. Petitioner may file a traverse no later than 6/23/99. (cc: all counsel) [3:99-cv-02257] (lh, COURT STAFF) (Entered: 06/02/1999)
06/02/1999	3	CONSENT to proceed before magistrate judge by Petitioner Hyung Joon Kim [3:99-cv-02257] (lh, COURT STAFF) (Entered: 06/03/1999)
06/10/1999	4	DECLINATION to proceed before magistrate judge by Federal Respondents. [3:99-cv-02257] (lh, COURT STAFF) (Entered: 06/11/1999)
06/10/1999	5	CLERK'S NOTICE of impending reassignment to a United States District Judge [3:99-cv-02257] (lh, COURT STAFF) (Entered: 06/14/1999)
06/14/1999	6	ORDER by Assignment Committee Case reassigned to Judge Susan Illston (Date Entered: 6/14/99) (cc: all counsel) [3:99-cv-02257] (lh, COURT STAFF) (Entered: 06/14/1999)
06/23/1999	7	STIPULATION and ORDER by Judge Susan Illston : A hearing on the merits of the habeas petition will be heard by 9:00 8/27/99 ; (cc: all counsel) [3:99-cv-02257] (cgd, COURT STAFF) (Entered: 06/24/1999)
06/25/1999	8	ANSWER by Respondent to petition for writ of habeas corpus. [3:99-cv-02257] (cgd, COURT STAFF) (Entered: 06/29/1999)
06/25/1999	8	MEMORANDUM OF POINTS AND AUTHORITIES by Respondents in opposition to habeas corpus petition [1-1] [3:99-cv-02257] (cgd, COURT STAFF) (Entered: 06/29/1999)
06/25/1999	9	DECLARATION by Robert Yeargin on behalf of Respondents re opposition memorandum [8-1], re answer [8-1] [3:99-cv-02257] (cgd, COURT STAFF)

		(Entered: 06/29/1999)
06/25/1999	10	PROOF OF SERVICE by Respondents of answer [8-1], opposition memorandum [8-1], declaration [9-1] [3:99-cv-02257] (cgd, COURT STAFF) (Entered: 06/29/1999)
07/01/1999	11	CLERK'S NOTICE The hearing on the petition for writ of habeas corpus will be held at 9:00a.m. on 8/6/99 ; [3:99-cv-02257] (cgd, COURT STAFF) (Entered: 07/06/1999)
08/06/1999	12	MEMORANDUM by Respondents to the Court regarding the transition period custody rules. [3:99-cv-02257] (cgd, COURT STAFF) (Entered: 08/10/1999)
08/06/1999	13	MINUTES: (C/R Judith Thomsen) (Hearing Date: 8/6/99): Petitioner's habeas corpus hearing - Held. Petition is taken under submission. Defendant shall inform the Court by the end of today, what, if any input INS has regarding the transitional rules. [3:99-cv-02257] (cgd, COURT STAFF) (Entered: 08/10/1999)
08/11/1999	14	ORDER by Judge Susan Illston GRANTING Kim's habeas corpus petition [1-1] to the extent that Respondents shall promptly provide Kim with an individualized bond hearing, or otherwise as respondents may elect, to determine whether Kim is a flight risk or a danger to the community ; terminating case ; appeal filing ddl 10/12/99 . To the extent that Kim seeks immediate release from INS detention during the pendency of his deportation proceedings, Kim's petition is DENIED. (Date Entered: 8.13.99) (cc: all counsel) [3:99-cv-02257] (cgd, COURT STAFF) (Entered: 08/13/1999)
10/12/1999	15	NOTICE OF APPEAL by Respondents Thomas Schiltgen and Janet Reno from Dist. Court decision; Fee status waived [3:99-cv-02257] (bug, COURT STAFF) (Entered: 10/13/1999)
10/22/1999		Copy of notice of appeal and docket sheet to all counsel [3:99-cv-02257] (bug, COURT STAFF) (Entered: 10/22/1999)
11/18/1999		NOTIFICATION by Circuit Court of Appellate Docket Number 99-17373 [3:99-cv-02257] (cgd, COURT STAFF) (Entered: 11/18/1999)
01/21/2000	16	TRANSCRIPT DESIGNATION and Ordering Form filed by Respondents ; No dates ordered ; ; appeal [15-1] [3:99-cv-02257] (cgd, COURT STAFF) (Entered: 01/25/2000)
01/31/2000		CERTIFICATE of Record mailed to USCA, counsel notified. [3:99-cv-02257] (cgd, COURT STAFF) (Entered: 01/31/2000)
07/07/2000	17	REPORTER'S TRANSCRIPT; Date of proceedings: Aug. 6, 1999 (C/R: Judith Thomsen) appeal [15-1] [3:99-cv-02257] (cgd, COURT STAFF) (Entered: 07/12/2000)
08/08/2001		RECORD on Appeal to USCA, cnsl notified. re appeal [15-1] [3:99-cv-02257] (ys, COURT STAFF) (Entered: 08/10/2001)

08/27/2001	18	RECEIPT from USCA of clerk's record on appeal [3:99-cv-02257] (ys, COURT STAFF) (Entered: 08/27/2001)
04/08/2002	19	Certified COPY of judgment from USCA affirming the decision of the District Court [15-1] AFFIRMED. [3:99-cv-02257] (ys, COURT STAFF) (Entered: 04/10/2002)
04/10/2002	20	CLERK's letter spreading the mandate to counsel. re appeal [15-1] [3:99-cv-02257] (ys, COURT STAFF) (Entered: 04/10/2002)
01/26/2004	21	NOTICE by Petitioner Hyung Joon Kim of related case(s) 04-0341-VRW. [3:99-cv-02257] (ys, COURT STAFF) (Entered: 01/28/2004)
02/02/2004	22	OPPOSITION by Respondent to related case notice [21-1] [3:99-cv-02257] (ys, COURT STAFF) (Entered: 02/02/2004)
02/05/2004	23	ORDER by Judge Susan Illston relating cases;C04-0341 (Date Entered: 2/10/04) (cc: all counsel) [3:99-cv-02257] (ys, COURT STAFF) (Entered: 02/10/2004)
10/27/2005	24	RECORD ON APPEAL RETURNED FROM USCA [15-1] [3:99-cv-02257] (ys, COURT STAFF) (Entered: 10/27/2005)

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