

CLOSED, CONSOLIDATED

**U.S. District Court
Eastern District of New York (Brooklyn)
CIVIL DOCKET FOR CASE #: 1:96-cv-04077-SJ-MDG**

Enrique, et al v. Reno, et al
Assigned to: Senior-Judge Sterling Johnson, Jr
Referred to: Magistrate-Judge Marilyn D. Go
Demand: \$0
Lead case: [1:96-cv-05070-SJ](#)
Member case: ([View Member Case](#))
Case in other court: 105.00

97-06062

Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 08/19/1996
Date Terminated: 02/27/1997
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government
Defendant

Plaintiff**Neil Jean-Baptiste**

represented by **ATTORNEY**
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Antonio C. Martinez
324 West 14th street
New York, NY 10014
(212) 989-0404
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff**Gustavo Enrique Cepeda-Torres**

represented by **Antonio C. Martinez**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff**Victor Israel Santana**

*Victor Israel Santana, on behalf of
themselves and all others similarly
situated*

represented by **Antonio C. Martinez**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**Atty General Janet Reno**

*Janet Reno, Attorney General of the
United States of America*

represented by **Mary Elizabeth Delli-Pizzi**
United States Attorneys Office
Eastern District of New York
610 Federal Plaza
Central Islip, NY 11722

(631) 715-7900
 Email: Beth.Dellipi@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**Immigration and Naturalization
 Service**

represented by **Quynh Vu**
 Office of Immigration Litigation
 Civil Division
 P.O. Box 878
 Ben Franklin Station
 Washington, DC 20044
 (202) 616-9752
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/19/1996	1	COMPLAINT filed and summons(es) issued against Janet Reno and Immigration and Naturalization Service FILING FEE \$ 120.00 RECEIPT # 186152 (Brown, Marc) (Entered: 08/28/1996)
09/11/1996	2	RETURN OF SERVICE executed as to Janet Reno & INS on 8/20/96. (Greves, Liz) (Entered: 09/11/1996)
09/11/1996	4	NOTICE OF MOTION by Neil Jean-Baptiste, Gustavo Enrique Cepeda-Torres, Victor Israel Santana and motion for class certification and for preliminary injunction . Motion hearing set for 9:30 9/27/96 [4-1] motion . (Greene, Donna) (Entered: 09/24/1996)
09/24/1996	3	MEMORANDUM by Neil Jean-Baptiste, Gustavo Enrique Cepeda-Torres, Victor Israel Santana in support of plttf's motion for preliminary injunction (Jackson, Ramona) (Entered: 09/24/1996)
09/24/1996	5	MEMORANDUM by Neil Jean-Baptiste, Gustavo Enrique Cepeda-Torres, Victor Israel Santana in support of [4-1] motion motion for class certification and for preliminary injunction (Greene, Donna) (Entered: 09/24/1996)
09/24/1996	6	CERTIFICATE OF SERVICE by Neil Jean-Baptiste upon the Local U.S. Attorney's Office of plaintiff's motion for class certification and for preliminary injunction. (Asreen, Wendy) (Entered: 10/02/1996)
09/26/1996	7	Pltf.'s opposition to Deft.'s motion for extension of time to file def't.'s response to pltf's motion for class certification and for preliminary injunction. (Greene, Donna) (Entered: 10/07/1996)
09/26/1996	9	MOTION by Janet Reno, Immigration and Natu for extension of time to file def't.'s response to pltf.'s motion for Class Certification and for Preliminary Injunction . Motion hearing set for 10/25/96 [9-1] motion . (Greene, Donna) (Entered: 10/07/1996)

10/07/1996	8	ORDER that Quynh Vu be admitted pro hac vice to the bar of the Eastern District of New York for the purpose of trying or arguing the above-titled action pursuant to Local Rule 2(c). (signed by Judge Sterling Johnson Jr. on 9/27/96). (Greene, Donna) (Entered: 10/07/1996)
10/16/1996	10	LETTER dated 10/16/96 from Quynh Vu to Hon. Judge Johnson, respectfully requesting that the Court defer adjudication of pltf.'s class certification and preliminary injunction motion, pending resolution of the motion dismiss. (Greene, Donna) (Entered: 10/21/1996)
10/24/1996	11	AFFIDAVIT OF SERVICE by Eladio A. Torres of the Stipulation Extending Time for Pltf.'s to file Response to Deft.'s Motion to Dismiss plt's Complaint. (Greene, Donna) (Entered: 10/29/1996)
10/30/1996	13	MEMORANDUM by pltf.'s Neil Jean-Baptiste, Gustavo Enrique Cepeda-Torres, Victor Israel Santana in opposition to deft. motion to dismiss complaint. (Greene, Donna) (Entered: 11/06/1996)
11/04/1996	12	STIPULATION extending time for pltf.'s to file response to deft.'s motion to dismiss pltf.'s complaint to 10/30/96 . The return date on deft.'s motion to dismiss pltf.'s complaint is now Nov. 6, 1996. (signed by Judge Sterling Johnson Jr. on 10/26/96). (Greene, Donna) (Entered: 11/04/1996)
11/08/1996	14	LETTER dated 10/31/96 from Quynh Vu to Judge Johnson, on 10/29/96, Mr. Martinez and counsel for deft.'s stipulated to a new return day for the deft.'s motion t o dismiss. The return day is now 11/15/96. Accordingly, deft.'s will file a reply to pltf.'s response to the motion to dismiss by 11/13/96. (Greene, Donna) (Entered: 11/08/1996)
11/12/1996	15	STIPULATION extending time for pltf.'s to file response to deft.'s motion to dismiss pltf.'s complaint until 11/6/96 . (signed by Judge Sterling Johnson Jr. on 10/31/96). (Greene, Donna) (Entered: 11/12/1996)
11/12/1996	16	NOTICE OF MOTION by Janet Reno, Immigration and Natu to dismiss complaint , with attached Memorandum in support of their Motion to dismiss complaint. (Greene, Donna) (Entered: 11/12/1996)
11/15/1996	17	MEMORANDUM by defendants in support of their [16-1] motion to dismiss complaint. (Asreen, Wendy) (Entered: 11/18/1996)
11/15/1996	18	MEMORANDUM by plaintiffs in opposition to defendants' [16-1] motion to dismiss complaint. (Asreen, Wendy) (Entered: 11/18/1996)
11/15/1996	19	REPLY MEMORANDUM OF LAW by Janet Reno, Immigration and Naturalization in further support of their [16-1] motion to dismiss complaint. (Asreen, Wendy) (Entered: 11/18/1996)
11/22/1996	20	ORDER consolidating 96 CV 5070 with 96 CV 4077 . It is ordered that 96 CV 5070 is administratively closed. (signed by Judge Sterling Johnson Jr. 11/13/96). (Greene, Donna) (Entered: 11/22/1996)
11/22/1996		Consolidated Lead Case. (Greene, Donna) (Entered: 11/22/1996)

11/26/1996		STIPULATION dated 11/18/96. The petitioner, in the above entitled action, through his undersigned counsel, hereby stipulates to dismissal of this cause of action on the basis of mootness. (signed by Judge Sterling Johnson Jr. on 11/18/96). (Note: orginial filed in 96 CV 5070 doc. #6). (Greene, Donna) (Entered: 12/27/1996)
01/27/1997	21	LETTER dated 1/10/97 from Antonio C. Martinez, Esq. to Judge Johnson, submitting the enclosed article, circulated in 1975, not as an argument, but to aid the Court in coming to a just conclusion regarding the issue of "license" and "licensing". (Greene, Donna) (Entered: 01/27/1997)
02/24/1997	22	MEMORANDUM AND ORDER granting defts. [16-1] motion to dismiss complaint. (signed by Judge Sterling Johnson Jr. on 2/5/97). (Greene, Donna) (Entered: 02/24/1997)
02/27/1997	23	JUDGMENT dated 2/27/97 that plaintiffs take nothing of the defendants; and, that defendants' motion to dismiss the complaint is granted. Signed by Robert C. Heinemann, Clerk. c/m w/appeals pkg. (Asreen, Wendy) (Entered: 02/27/1997)
02/27/1997		Case closed (Asreen, Wendy) (Entered: 02/27/1997)
03/18/1997	24	NOTICE OF APPEAL by Neil Jean-Baptiste in 1:96-cv-04077, Gustavo Enrique Cepeda-Torres in 1:96-cv-04077, Victor Israel Santana in 1:96-cv-04077 Fee Paid \$ 105.00 Receipt # 192986 Notice of Appeal and certified copy of docket sent appealing [22-1] order, [23-1] judgment order. Service made by clerk. (McGee, Maryann) (Entered: 03/18/1997)
03/18/1997		Notice of Appeal and certified copy of docket to USCA: [24-1] appeal (McGee, Maryann) (Entered: 03/18/1997)
04/04/1997	25	USCA Scheduling Order: [24-1] appeal Appeal record due by 4/28/97 . USCA Number: 97-6062 Appellant's brief due 5/5/97. Appellee's brief due 6/4/97. Argument set for 6/23/97. (McGee, Maryann) (Entered: 04/04/1997)
04/15/1997		Certified and transmitted INDEX on appeal to U.S. Court of Appeals: [24-1] appeal . Acknowledgment requested. Documents 1-25. Missing: 5,25. (McGee, Maryann) (Entered: 04/15/1997)
04/23/1997	26	Acknowledgment from USCA received re: [24-1] appeal (McGee, Maryann) (Entered: 04/23/1997)
10/24/1997		Certified and transmitted record on appeal to U.S. Court of Appeals: [24-1] appeal . Acknowledgment requested. PLEASE NOTE: THIS RECORD IS BEING SENT TO DONNA AT THE USCA AS PER HER REQUEST . IT CONTAINS THE FOLLOWING DOCUMENTS#1-4,6-24. (Gonzalez, Mary) (Entered: 10/24/1997)
06/22/1999	27	MANDATE OF USCA (certified copy) Re: [24-1] appeal. Upon consideration thereof, it is ordered that the judgment be, and it hereby is, Affirmed. Mandate: issued 6/17/99. Judge Notified. Ackn. mailed. USCA# 97-6062. (Vasquez, Liz) (Entered: 06/22/1999)

08/03/1999	28	Record on appeal returned from U.S. Court of Appeals included all documents. (Copy of this receipt sent to Fred nunnery c/o Court of Appeals). (Greene, Donna) (Entered: 08/03/1999)
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