

U.S. DISTRICT COURT
U.S. District Court, Western District of New York (Buffalo)
CIVIL DOCKET FOR CASE #: 1:20-cv-00290-EAW

Onosamba-Ohindo et al v. Barr et al
Assigned to: Hon. Elizabeth A. Wolford
Cause: 28:2241 Petition for Writ of Habeas Corpus
(federa

Date Filed: 03/10/2020
Jury Demand: None
Nature of Suit: 463 Habeas Corpus -
Alien Detainee
Jurisdiction: U.S. Government
Defendant

Plaintiff

Junior Onosamba-Ohindo
*on behalf of himself and all others
similarly situated*

represented by **Amy Louise Belsher**
New York Civil Liberties Union
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TERMINATED: 03/24/2021

Victoria Marie Roeck

New York Civil Liberties Union
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New York, NY 10004

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Email: vroeck@me.com

TERMINATED: 08/17/2020

Plaintiff

Antonio Lopez Agustin

*on behalf of himself and all others
similarly situated*

TERMINATED: 03/30/2021

represented by **Amy Louise Belsher**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Christopher T. Dunn

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Jordan Laris Cohen

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

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

Megan Elaine Sallomi
(See above for address)
TERMINATED: 03/24/2021

Victoria Marie Roeck
(See above for address)
TERMINATED: 08/17/2020

V.

Defendant

William Barr
in his official capacity as Attorney
General of the Department of Justice
TERMINATED: 09/30/2020

represented by **David M. Coriell**
U.S. Attorney's Office
Federal Centre
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**United States Attorney's Office (e-
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Western District of New York
Email: USANYW-Immigration-
Habeas@usdoj.gov
TERMINATED: 03/23/2020

Defendant

**United States Department of
Justice**
TERMINATED: 09/30/2020

represented by **David M. Coriell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

United States Attorney's Office (e-

service)
(See above for address)
TERMINATED: 03/23/2020

Defendant

James McHenry
*in his official capacity as the
Director of the Executive Office for
Immigration Review*
TERMINATED: 09/30/2020

represented by **David M. Coriell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

**United States Attorney's Office (e-
service)**
(See above for address)
TERMINATED: 03/23/2020

Defendant

**Executive Office for Immigration
Review**
TERMINATED: 09/30/2020

represented by **David M. Coriell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

**United States Attorney's Office (e-
service)**
(See above for address)
TERMINATED: 03/23/2020

Defendant

Matthew Albence
*in his official capacity as Deputy
Director and Senior Official
Performing the Duties of the
Director of Immigration and
Customs Enforcement*
TERMINATED: 09/30/2020

represented by **David M. Coriell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

**United States Attorney's Office (e-
service)**
(See above for address)
TERMINATED: 03/23/2020

Defendant

Chad F. Wolf
*in his official capacity as Acting
Secretary of the U.S. Department of
Homeland Security*
TERMINATED: 09/30/2020

represented by **David M. Coriell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

**United States Attorney's Office (e-
service)**

(See above for address)
TERMINATED: 03/23/2020

Defendant

Jeffrey Searls
*in his official capacity as the Acting
Administrator of the Buffalo Federal
Detention Facility*

represented by **David M. Coriell**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

**United States Attorney's Office (e-
service)**
(See above for address)
TERMINATED: 03/23/2020

| Date Filed | # | Docket Text |
|-------------------|-------------------|--|
| 03/11/2020 | 1 | COMPLAINT against All Defendants , PETITION for Writ of Habeas Corpus (Filing fee \$5.00 receipt number 0209-3764118), filed by Antonio Lopez Agustin, Junior Onosamba-Ohindo. (Attachments: # 1 Civil Cover Sheet)(Roeck, Victoria) Modified on 3/11/2020 to enter filing fee and receipt number (CGJ). Corrected Receipt number 3/13/2020 (LB). Corrected fee amount 4/1/2020 (CGJ). (Entered: 03/11/2020) |
| 03/11/2020 | 2 | MOTION to Certify Class by Antonio Lopez Agustin, Junior Onosamba-Ohindo. (Attachments: # 1 Memorandum in Support, # 2 Declaration of Victoria Roeck, # 3 Declaration of Dalya Kefi, # 4 Declaration of Junior Onosamba-Ohindo, # 5 Declaration of Christine Lao-Scott, # 6 Declaration of Antonio Lopez Agustin, # 7 Declaration of Kimberly Hunter, # 8 Declaration of Nicholas J. Phillips, # 9 Declaration of Jesse Barber, # 10 Declaration of Tanika Vigil)(Roeck, Victoria) (Entered: 03/11/2020) |
| 03/11/2020 | | E-Filing Notification re [2-1] Attachments: # 1 Memorandum in Support, Incorrect.pdf file attached to entry. Action required: Re-file attachment [2-1] using the (Memorandum in Support) event. (KM) (Entered: 03/11/2020) |
| 03/11/2020 | 3 | MEMORANDUM in Support re 2 MOTION to Certify Class filed by Antonio Lopez Agustin, Junior Onosamba-Ohindo. (Roeck, Victoria) (Entered: 03/11/2020) |
| 03/11/2020 | | E-Filing Notification: regarding 1 COMPLAINT docket text modified to show filing fee and receipt number. Filing fee paid more than once. Please refer to refund policy located on our website www.nywd.uscourts.gov (CGJ) (Entered: 03/11/2020) |

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| 03/11/2020 | | Case assigned to Hon. Lawrence J. Vilaro. Notification to Chambers of on-line civil case opening. (CGJ) (Entered: 03/11/2020) |
| 03/11/2020 | | Notice of Availability of Magistrate Judge: A United States Magistrate of this Court is available to conduct all proceedings in this civil action in accordance with 28 U.S.C. 636c and FRCP 73. The Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form (AO-85) is available for download at http://www.uscourts.gov/services-forms/forms . (CGJ) (Entered: 03/11/2020) |
| 03/13/2020 | 4 | Original Summons Filed. (Roeck, Victoria) (Entered: 03/13/2020) |
| 03/13/2020 | 5 | Original Summons Filed. (Roeck, Victoria) (Entered: 03/13/2020) |
| 03/13/2020 | 6 | Original Summons Filed. (Roeck, Victoria) (Entered: 03/13/2020) |
| 03/13/2020 | 7 | ORDER that within 45 days of the date of this order, Respondent shall file and serve an answer and memorandum of law or a motion to dismiss, along with a memorandum responding to petitioner's motion for class certification; Petitioner shall have 25 days upon receipt of the responses; the Clerk of Court shall serve a copy of the petition and this order, electronically via a Notice of Electronic Filing to the United States Attorney's Office, Western District of New York at USANYW-Immigration-Habeas@usdoj.gov. Signed by Hon. Lawrence J. Vilaro on 3/13/20. (Attachments: # 1 Petition)(SG) (Entered: 03/13/2020) |
| 03/13/2020 | 8 | Original Summons Filed. (Roeck, Victoria) (Entered: 03/13/2020) |
| 03/13/2020 | 9 | Original Summons Filed. (Roeck, Victoria) (Entered: 03/13/2020) |
| 03/13/2020 | 10 | Original Summons Filed. (Roeck, Victoria) (Entered: 03/13/2020) |
| 03/13/2020 | 11 | Original Summons Filed. (Roeck, Victoria) (Entered: 03/13/2020) |
| 03/16/2020 | 12 | Summons Issued as to Matthew Albence, William Barr, Executive Office for Immigration Review, James McHenry, Jeffrey Searls, United States Department of Justice, Chad F. Wolf. (Attachments: # 1 summons issued, # 2 summons issued, # 3 summons issued, # 4 summons issued, # 5 summons issued, # 6 summons issued)(KM) (Entered: 03/16/2020) |
| 03/18/2020 | 13 | AFFIDAVIT of Service for Complaint/Petition, Motion to Certify Class, Summons Issued by the Court (Dkt. 12) served on William Barr; United States Department of Justice; James McHenry; Executive Office for Immigration Review; Matthew Albence; Chad F. Wolf; U.S. Department of Homeland Security; Jeffrey Searls on March 17, 2020, filed by Antonio Lopez Agustin, Junior Onosamba-Ohindo. (Roeck, Victoria) (Entered: 03/18/2020) |

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| 03/22/2020 | 14 | NOTICE of Appearance by David M. Coriell on behalf of All Defendants (Coriell, David) (Entered: 03/22/2020) |
| 04/01/2020 | | E-Filing Notification: regarding 1 COMPLAINT against All Defendants, PETITION for Writ of Habeas Corpus . Docket text amended to reflect correct filing fee. (CGJ) (Entered: 04/01/2020) |
| 04/10/2020 | 15 | MOTION for Preliminary Injunction by Antonio Lopez Agustin, Junior Onosamba-Ohindo. (Attachments: # 1 Memorandum in Support of Plaintiffs-Petitioners Motion for Preliminary Injunction, # 2 Declaration of Grace Zaiman, # 3 Declaration of James Tinsley, # 4 Declaration of Lara Nochomovitz, # 5 Declaration of Nathalia Dickson, # 6 Declaration of Denise Noonan Slavin, # 7 Declaration of Cliff Johnson, # 8 Declaration of Dr. Jaimie Meyer, # 9 Supplement Declaration of Jesse Barber, # 10 Supplement Declaration of Dalya Kefi, # 11 Supplement Declaration of Victoria Roeck, # 12 Exhibit C, # 13 Exhibit D, # 14 Exhibit E, # 15 Exhibit F, # 16 Exhibit G, # 17 Exhibit H, # 18 Exhibit I, # 19 Exhibit J, # 20 Exhibit K, # 21 Exhibit L, # 22 Exhibit M, # 23 Exhibit N, # 24 Exhibit O, # 25 Exhibit P, # 26 Text of Proposed Order)(Roeck, Victoria) (Entered: 04/10/2020) |
| 04/10/2020 | 16 | MOTION to Expedite <i>Motion for a Preliminary Injunction</i> by Antonio Lopez Agustin, Junior Onosamba-Ohindo. (Attachments: # 1 Text of Proposed Order, # 2 Exhibit Notice and Motion for a Preliminary Injunction with supporting documents)(Roeck, Victoria) (Entered: 04/10/2020) |
| 04/11/2020 | 17 | RESPONSE in Opposition re 16 MOTION to Expedite <i>Motion for a Preliminary Injunction</i> filed by Matthew Albence, William Barr, Executive Office for Immigration Review, James McHenry, Jeffrey Searls, United States Department of Justice, Chad F. Wolf. (Coriell, David) (Entered: 04/11/2020) |
| 04/13/2020 | 18 | TEXT ORDER denying the petitioners' motion to expedite, Docket Item 16 , for the reasons stated in the respondents' opposition, Docket Item 17 . The respondents shall respond to the motion for a preliminary injunction, Docket Item 15 , on or before April 27, 2020. The petitioners shall reply on or before May 6, 2020. SO ORDERED. Issued by Hon. Lawrence J. Vilardo on 4/13/2020. (RFI) (Entered: 04/13/2020) |
| 04/22/2020 | 19 | Letter filed by Executive Office for Immigration Review, William Barr, Matthew Albence, Jeffrey Searls, Chad F. Wolf, United States Department of Justice, James McHenry as to Executive Office for Immigration Review, William Barr, Matthew Albence, Jeffrey Searls, Chad F. Wolf, United States Department of Justice, James |

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| | | McHenry <i>requesting extension of page limit.</i> (Coriell, David) (Entered: 04/22/2020) |
| 04/23/2020 | 20 | TEXT ORDER granting the respondents' letter request to enlarge the page limit for their memorandum of law in support of their forthcoming motion to dismiss, Docket Item 19 . SO ORDERED. Issued by Hon. Lawrence J. Vilardo on 4/23/2020. (RFI) (Entered: 04/23/2020) |
| 04/24/2020 | 21 | NOTICE of Appearance by Megan Elaine Sallomi on behalf of All Plaintiffs (Sallomi, Megan) (Entered: 04/24/2020) |
| 04/27/2020 | 22 | MOTION to Dismiss for Lack of Jurisdiction , MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by Matthew Albence, William Barr, Executive Office for Immigration Review, James McHenry, Jeffrey Searls, United States Department of Justice, Chad F. Wolf. (Attachments: # 1 Memorandum in Support Motion to Dismiss, # 2 Exhibit Ex. 1 Declaration of David M. Coriell, # 3 Exhibit Ex. A to Coriell Declaration, # 4 Exhibit Ex. B to Coriell Declaration, # 5 Exhibit Ex. 2 Declaration of Mark Pasierb)(Coriell, David) (Entered: 04/27/2020) |
| 04/27/2020 | 23 | RESPONSE in Opposition re 2 MOTION to Certify Class filed by Matthew Albence, William Barr, Executive Office for Immigration Review, James McHenry, Jeffrey Searls, United States Department of Justice, Chad F. Wolf. (Coriell, David) (Entered: 04/27/2020) |
| 04/27/2020 | 24 | RESPONSE in Opposition re 15 MOTION for Preliminary Injunction filed by Matthew Albence, William Barr, Executive Office for Immigration Review, James McHenry, Jeffrey Searls, United States Department of Justice, Chad F. Wolf. (Attachments: # 1 Declaration Stephanie Kerr)(Coriell, David) (Entered: 04/27/2020) |
| 04/29/2020 | 25 | TEXT ORDER. The petitioners shall respond to 22 MOTION to Dismiss for Lack of Jurisdiction MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM , filed by William Barr, Chad F. Wolf, Matthew Albence, James McHenry, United States Department of Justice, Executive Office for Immigration Review, and Jeffrey Searls, on or before May 6, 2020 . The respondents shall reply on or before May 11, 2020 . The petitioners' reply to 23 Response in Opposition to Motion for Class Certification, filed by William Barr, Chad F. Wolf, Matthew Albence, James McHenry, United States Department of Justice, Executive Office for Immigration Review, and Jeffrey Searls, shall remain on the schedule in this Court's order dated March 13, 2020, |

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| | | Docket Item 7 . SO ORDERED. Issued by Hon. Lawrence J. Vilardo on 4/29/2020. (RFI) (Entered: 04/29/2020) |
| 04/29/2020 | 26 | TEXT ORDER re 15 MOTION for Preliminary Injunction filed by petitioners and 22 MOTION to Dismiss for Lack of Jurisdiction and MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by respondents. Telephone Oral Argument set for 5/15/2020 at 11:00 AM in U.S. Courthouse, 2 Niagara Square, Buffalo, NY 14202-3350 before Hon. Lawrence J. Vilardo. PLEASE NOTE: The proceeding described herein will be held remotely. Public access to the proceeding can be obtained by contacting Judge Vilardo's chambers at (716) 551-1621. SO ORDERED. Issued by Hon. Lawrence J. Vilardo on 4/29/2020. (CMD) (Entered: 04/29/2020) |
| 05/06/2020 | 27 | MEMORANDUM in Opposition re 22 MOTION to Dismiss for Lack of Jurisdiction MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Antonio Lopez Agustin, Junior Onosamba-Ohindo. (Roeck, Victoria) (Entered: 05/06/2020) |
| 05/06/2020 | 28 | REPLY/RESPONSE to re 15 MOTION for Preliminary Injunction filed by Antonio Lopez Agustin, Junior Onosamba-Ohindo. (Sallomi, Megan) (Entered: 05/07/2020) |
| 05/11/2020 | 29 | REPLY to Response to Motion re 22 MOTION to Dismiss for Lack of Jurisdiction MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Matthew Albence, William Barr, Executive Office for Immigration Review, James McHenry, Jeffrey Searls, United States Department of Justice, Chad F. Wolf. (Coriell, David) (Entered: 05/11/2020) |
| 05/13/2020 | 30 | REPLY to Response to Motion re 2 MOTION to Certify Class filed by Antonio Lopez Agustin, Junior Onosamba-Ohindo. (Roeck, Victoria) (Entered: 05/13/2020) |
| 05/15/2020 | 31 | Minute Entry for proceedings held before Hon. Lawrence J. Vilardo: Oral Argument re 15 MOTION for Preliminary Injunction filed by petitioners and 22 MOTION to Dismiss for Lack of Jurisdiction filed by respondents held on 5/15/2020. Court ordered that this proceeding is not to be recorded, or taped in any way. If someone does record it, they will be found in contempt of court. Court reserves decision. Appearances by teleconference. For petitioners: Megan E. Sallomi, Victoria M. Roeck, Amy L. Belsher, and Christopher T. Dunn. Petitioners present. For respondents: AUSA David M. Coriell. (Court Reporter Ann M. Sawyer.) (CMD) (Entered: 05/16/2020) |
| 05/28/2020 | 32 | TEXT ORDER. The respondents shall submit a supplemental brief on or before June 4, 2020 , addressing why the petitioners' claims are not inherently transitory under <i>Nielsen v. Preap</i> , 139 S. |

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| | | Ct. 954, 963 (2019). The petitioners shall respond on or before June 11, 2020 . In their response, the petitioners also shall address how their claims would proceed if the Court finds that those claims are transitory. In other words, who would pursue the class claims since the named petitioners no longer have live claims? SO ORDERED. Issued by Hon. Lawrence J. Vilardo on 5/28/2020. (RFI) (Entered: 05/28/2020) |
| 06/02/2020 | 33 | Letter filed by Antonio Lopez Agustin, Junior Onosamba-Ohindo as to Executive Office for Immigration Review, William Barr, Matthew Albence, Jeffrey Searls, Chad F. Wolf, United States Department of Justice, James McHenry <i>Notice of Supplemental Authority</i> . (Attachments: # 1 Exhibit Dubon Miranda v. Barr, No. 1:20-cv-01110, Opinion, # 2 Exhibit Dubon Miranda v. Barr, No. 1:20-cv-01110, Order)(Sallomi, Megan) (Entered: 06/02/2020) |
| 06/04/2020 | 34 | MEMORANDUM/BRIEF re 32 Text Order,, <i>Concerning the "Inherently Transitory" Exception to Mootness</i> by Matthew Albence, William Barr, Executive Office for Immigration Review, James McHenry, Jeffrey Searls, United States Department of Justice, Chad F. Wolf. (Coriell, David) (Entered: 06/04/2020) |
| 06/10/2020 | 35 | REPLY/RESPONSE to re 34 Memorandum/Brief, <i>Regarding the Inherently-Transitory Exception to Mootness</i> filed by Antonio Lopez Agustin, Junior Onosamba-Ohindo. (Roeck, Victoria) (Entered: 06/10/2020) |
| 07/22/2020 | 36 | TEXT ORDER. Case reassigned to Hon. Elizabeth A. Wolford. Hon. Lawrence J. Vilardo no longer assigned to the case. SO ORDERED. Issued by Hon. Lawrence J. Vilardo on 7/22/2020. (CMD) (Entered: 07/22/2020) |
| 07/23/2020 | 37 | NOTICE of Appearance by Phil Telfeyan on behalf of All Plaintiffs (Telfeyan, Phil) (Entered: 07/23/2020) |
| 07/24/2020 | 38 | MOTION to Withdraw as Attorney by Antonio Lopez Agustin, Junior Onosamba-Ohindo. (Attachments: # 1 Declaration of Victoria Roeck)(Roeck, Victoria) (Entered: 07/24/2020) |
| 07/24/2020 | 39 | TEXT ORDER granting 38 Motion to Withdraw as Attorney. The Clerk of Court shall terminate Victoria Roeck as counsel of record for Plaintiffs. SO ORDERED. Signed by Hon. Elizabeth A. Wolford on 7/24/2020. (KAC) -CLERK TO FOLLOW UP- (Entered: 07/24/2020) |
| 08/14/2020 | 40 | Letter filed by Antonio Lopez Agustin, Junior Onosamba-Ohindo as to Executive Office for Immigration Review, William Barr, Matthew |

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| | | Albence, Jeffrey Searls, Chad F. Wolf, United States Department of Justice, James McHenry . (Sallomi, Megan) (Entered: 08/14/2020) |
| 09/02/2020 | 41 | <p>DECISION AND ORDER granting in part and denying in part 22 Motion to Dismiss; granting in part, denying in part, and reserving decision in part on 2 Motion to Certify Class; and granting in part and denying in part 15 Motion for Preliminary Injunction. Please Note: This docket text may not contain the entire contents of the attached Decision and Order. It is your responsibility to read the attached Decision and Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Decision and Order. Signed by Hon. Elizabeth A. Wolford on 9/2/2020. (KAC)</p> <p>-CLERK TO FOLLOW UP- (Entered: 09/02/2020)</p> |
| 09/02/2020 | 42 | <p>TEXT ORDER re 2 Motion to Certify Class. As detailed further in the 41 Decision and Order, the Court has reserved decision on whether it is appropriate to certify a separate class of individuals who have had a bond hearing and are detained at the Buffalo Federal Detention Facility pursuant to 8 U.S.C. § 1226(a) for purposes of declaratory relief, and orders further briefing on the issue. Class Petitioner's supplemental brief is due on or before September 16, 2020. Respondent's supplemental brief is due on or before September 23, 2020. Upon receipt of all papers, the Court will determine if oral argument is necessary and, if so, advise the parties of the date and time. SO ORDERED. Signed by Hon. Elizabeth A. Wolford on 9/2/2020. (KAC) (Entered: 09/02/2020)</p> |
| 09/14/2020 | 43 | <p>STATUS REPORT <i>Regarding the Courts Sept. 2, 2020 Order</i> by Antonio Lopez Agustin, Junior Onosamba-Ohindo. (Sallomi, Megan) (Entered: 09/14/2020)</p> |
| 09/16/2020 | 44 | <p>MEMORANDUM/BRIEF re 42 Text Order,,, <i>regarding Certification on Post-Hearing Class</i> by Junior Onosamba-Ohindo. (Attachments: # 1 Declaration of Jesse Barber)(Sallomi, Megan) (Entered: 09/16/2020)</p> |
| 09/21/2020 | 45 | <p>STATUS REPORT <i>regarding the Court's September 2, 2020 Order</i> by Junior Onosamba-Ohindo. (Sallomi, Megan) (Entered: 09/21/2020)</p> |
| 09/22/2020 | 46 | <p>NOTICE of Appearance by Jordan Laris Cohen on behalf of Antonio Lopez Agustin, Junior Onosamba-Ohindo (Cohen, Jordan) (Entered: 09/22/2020)</p> |

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| 09/23/2020 | 47 | REPLY/RESPONSE to re 44 Memorandum/Brief <i>regarding Certifying a Post-Hearing Class</i> filed by Jeffrey Searls. (Coriell, David) (Entered: 09/23/2020) |
| 09/24/2020 | 48 | TEXT ORDER. Upon review of the "Instructions to Immigration Judges" (Dkt. 45 at 2-4) ("the Instructions") and the "Notice of Court Order Regarding Bond Hearings in the Batavia Immigration Court" (<i>id.</i> at 5-7) ("the Notice"), the Court finds both documents comply with its September 2, 2020 Decision and Order (Dkt. 41). The Instructions shall be distributed to the Buffalo and Batavia Immigration Judges and the Notice shall be distributed to the Pre-Hearing Class members, with appropriate translations as set forth in the Decision and Order. SO ORDERED. Signed by Hon. Elizabeth A. Wolford on 9/24/2020. (KAC) (Entered: 09/24/2020) |
| 09/30/2020 | 49 | MOTION for Reconsideration re 41 Order on Motion to Dismiss/Lack of Jurisdiction,, Order on Motion to Dismiss for Failure to State a Claim,, Order on Motion for Preliminary Injunction,, by Junior Onosamba-Ohindo. (Attachments: # 1 Memorandum in Support)(Sallomi, Megan) (Entered: 09/30/2020) |
| 10/02/2020 | 50 | TEXT ORDER re 49 Motion for Reconsideration, filed by Petitioner. Responses are due on or before October 23, 2020; Replies are due on or before October 30, 2020. Upon receipt of all papers the Court will determine if oral argument is necessary and, if so, will inform the parties of the date and time. SO ORDERED. Signed by Hon. Elizabeth A. Wolford on 10/02/2020. (CAL). (Entered: 10/02/2020) |
| 10/23/2020 | 51 | MEMORANDUM in Opposition re 49 MOTION for Reconsideration re 41 Order on Motion to Dismiss/Lack of Jurisdiction,, Order on Motion to Dismiss for Failure to State a Claim,, Order on Motion for Preliminary Injunction,, filed by Jeffrey Searls. (Coriell, David) (Entered: 10/23/2020) |
| 10/30/2020 | 52 | NOTICE OF APPEAL as to 41 Order on Motion to Dismiss/Lack of Jurisdiction,, Order on Motion to Dismiss for Failure to State a Claim,, Order on Motion for Preliminary Injunction,, by Jeffrey Searls. Fee Status: No Fee Due, Government Attorney. (Coriell, David) Modified on 11/2/2020 (JLV). (Entered: 10/30/2020) |

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| 10/30/2020 | 53 | DESIGNATION of Record on Appeal by Jeffrey Searls re 52 Notice of Appeal CLERK TO FOLLOW UP (Coriell, David) (Entered: 10/30/2020) |
| 10/30/2020 | 54 | RESPONSE in Support re 49 MOTION for Reconsideration re 41 Order on Motion to Dismiss/Lack of Jurisdiction,,, Order on Motion to Dismiss for Failure to State a Claim,,, Order on Motion for Preliminary Injunction,, filed by Junior Onosamba-Ohindo. (Sallomi, Megan) (Entered: 10/30/2020) |
| 11/02/2020 | 55 | CLERKS CERTIFICATE filed and electronically sent to Court of Appeals. (JLV) (Entered: 11/02/2020) |
| 12/15/2020 | 56 | NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Oral Argument Proceedings via Teleconference held on 5/15/2020, before Judge Lawrence J. Vilardo. Court Reporter/Transcriber Ann M. Sawyer, Contact Info Ann_Sawyer@nywd.uscourts.gov. 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. Redaction Request due 1/5/2021. Redacted Transcript Deadline set for 1/15/2021. Release of Transcript Restriction set for 3/15/2021. (KM) (Entered: 12/15/2020) |
| 01/29/2021 | 57 | MOTION to Withdraw as Attorney by Junior Onosamba-Ohindo. (Attachments: # 1 Affidavit)(Sallomi, Megan) (Entered: 01/29/2021) |
| 03/23/2021 | 58 | TEXT ORDER granting 57 Motion to Withdraw as Attorney. The Clerk of Court shall terminate Attorney Megan Sallomi as counsel of record for Petitioner. Signed by Elizabeth A. Wolford on 3/23/21. (MGB) -CLERK TO FOLLOW UP- (Entered: 03/23/2021) |
| 03/29/2021 | 59 | DECISION AND ORDER denying 2 Motion to Certify Class without prejudice in remaining part; denying 49 Motion for Reconsideration. Signed by Hon. Elizabeth A. Wolford on 3/29/2021. (MGB) (Entered: 03/29/2021) |
| 04/27/2021 | 60 | NOTICE OF APPEAL as to 41 Order on Motion to Dismiss/Lack of Jurisdiction, Order on Motion to Dismiss for Failure to State a Claim, Order on Motion for Preliminary Injunction, by Junior Onosamba-Ohindo. Filing fee \$ 505, receipt number 0209-4228956. (Belsher, Amy) (Entered: 04/27/2021) |
| 04/27/2021 | | Within 14 days of filing the 60 Notice of Appeal, the appellant is required to electronically file with the District Court an index of filed |

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| | | documents it wishes the Court of Appeals to consider, called Designation of Record on Appeal. After receipt, the Clerk's Office will certify and transmit the index to the Circuit. (JHF) (Entered: 04/27/2021) |
| 05/19/2021 | 61 | DESIGNATION of Record on Appeal by Junior Onosamba-Ohindore 60 Notice of Appeal, CLERK TO FOLLOW UP (Belsher, Amy) (Entered: 05/19/2021) |
| 05/20/2021 | 62 | CLERKS CERTIFICATE/INDEX filed and electronically sent to Court of Appeals (LMD) (Entered: 05/20/2021) |

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| PACER Login: | CRClearinghouse:2563377:0 | Client Code: | Duffield |
| Description: | Docket Report | Search Criteria: | 1:20-cv-00290-EAW |
| Billable Pages: | 10 | Cost: | 1.00 |