

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:20-cv-10738-GAO**

Grinis et al v. Spaulding et al
Assigned to: Judge George A. OToole, Jr
related Case: [1:20-cv-10786-GAO](#)
Cause: 28:2241 Petition for Writ of Habeas Corpus (federa

Date Filed: 04/15/2020
Date Terminated: 07/06/2020
Jury Demand: None
Nature of Suit: 530 Habeas Corpus
(General)
Jurisdiction: Federal Question

Petitioner

Alexander Grinis
*on behalf of themselves and those
similarly situated*

represented by **William W. Fick**
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Petitioner

Michael Gordon
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similarly situated*

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Petitioner

Angel Soliz
on behalf of themselves and those
similarly situated

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V.

Respondent

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Respondent

Michael Carvajal
Director of Federal Medical Center
Devens

represented by **Eve A. Piemonte**
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Date Filed	#	Docket Text
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04/15/2020	<u>1</u>	PETITION for Writ of Habeas Corpus (2241) Filing fee: \$ 5, receipt number 0101-8197974 Fee status: Filing Fee paid., filed by Michael Gordon, Alexander Grinis, Angel Soliz. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Civil Category Sheet)(Fick, William) (Entered: 04/15/2020)
04/15/2020	<u>2</u>	ELECTRONIC NOTICE of Case Assignment. Judge George A. OToole, Jr assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Judith G. Dein. (Finn, Mary) (Entered: 04/15/2020)
04/15/2020	<u>3</u>	MOTION for Temporary Restraining Order , <i>Immediate Bail Consideration, and Preliminary Injunctive Relief</i> by Michael Gordon, Alexander Grinis, Angel Soliz.(Fick, William) (Entered: 04/15/2020)
04/15/2020	<u>4</u>	MEMORANDUM in Support re <u>3</u> MOTION for Temporary Restraining Order , <i>Immediate Bail Consideration, and Preliminary Injunctive Relief</i> filed by Michael Gordon, Alexander Grinis, Angel Soliz. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Fick, William) (Entered: 04/15/2020)
04/15/2020	<u>5</u>	MOTION to Certify Class or Representative Habeas Action by Michael Gordon, Alexander Grinis, Angel Soliz.(Fick, William) Modified on 6/11/2020 (Lyness, Paul). (Entered: 04/15/2020)
04/15/2020	<u>6</u>	MEMORANDUM in Support re <u>5</u> MOTION to Certify Class or Representative Habeas Action filed by Michael Gordon, Alexander Grinis, Angel Soliz. (Fick, William) (Entered: 04/15/2020)
04/15/2020	<u>7</u>	NOTICE of Appearance by Daniel N. Marx on behalf of Michael Gordon, Alexander Grinis, Angel Soliz (Marx, Daniel) (Entered: 04/15/2020)
04/15/2020	<u>8</u>	Judge George A. OToole, Jr: ORDER entered. The Clerk shall serve the petition for writ of habeas corpus under 28 U.S.C. § 2241 and complaint for injunctive and declaratory relief, together with the pending motions, on the Respondents and the United States Attorney for the District of Massachusetts. The Respondents shall file a response to the petition and the motion for immediate bail consideration, temporary restraining order, and preliminary injunctive relief within seven (7) days of the entry of this Order. (PSSA, 4) (Entered: 04/15/2020)
04/16/2020	<u>9</u>	NOTICE of Appearance by Eve A. Piemonte on behalf of Michael Carvajal, Stephen Spaulding (Piemonte, Eve) (Entered: 04/16/2020)
04/16/2020	<u>10</u>	NOTICE of Appearance by Amy Barsky on behalf of Michael Gordon, Alexander Grinis, Angel Soliz (Barsky, Amy) (Entered: 04/16/2020)
04/16/2020	<u>11</u>	Emergency MOTION for Status Conference and Immediate Disclosure of Initial Information and Periodic Reports by Michael Gordon, Alexander Grinis, Angel Soliz.(Fick, William) (Entered: 04/16/2020)
04/17/2020	<u>12</u>	NOTICE of Appearance by Matthew Segal on behalf of Michael Gordon, Alexander Grinis, Angel Soliz (Segal, Matthew) (Entered: 04/17/2020)
04/17/2020	<u>13</u>	NOTICE of Appearance by Jessie J. Rossman on behalf of Michael Gordon, Alexander Grinis, Angel Soliz (Rossman, Jessie) (Entered: 04/17/2020)
04/20/2020	<u>14</u>	Judge George A. OToole, Jr: ELECTRONIC ORDER entered denying <u>11</u> Motion (Lyness, Paul) (Entered: 04/20/2020)
04/21/2020	<u>15</u>	MOTION REQUESTING THAT THE DISTRICT COURT ADDS CHARLES NEWTON AS A CLASS MEMBER IN THE ABOVE CAPTIONED MATTER Modified on 4/24/2020 (Lyness, Paul). (Entered: 04/21/2020)
04/21/2020	<u>16</u>	MOTION REQUESTING THAT THE DISTRICT COURT ADD'S DAVID A. WHEELER AS A CLASS MEMBER IN THE ABOVE CAPTIONED MATTER.(Halley, Taylor) Modified on 4/24/2020 (Lyness, Paul). (Entered: 04/21/2020)

		04/21/2020)
04/21/2020	<u>17</u>	MOTION REQUESTING THAT THE DISTRICT COURT ADDS EDWARD MACKENZIE AS A CLASS MEMBER IN THE ABOVE CAPTIONED MATTER.(Halley, Taylor) Modified on 4/24/2020 (Lyness, Paul). (Entered: 04/21/2020)
04/21/2020	<u>18</u>	MOTION REQUESTING THAT THE DISTRICT COURT ADDS FIDEL PEREYRA AS A CLASS MEMBER IN THE ABOVE CAPTIONED MATTER.(Halley, Taylor) Modified on 4/24/2020 (Lyness, Paul). (Entered: 04/21/2020)
04/21/2020	<u>19</u>	MOTION REQUESTING THAT THE DISTRICT COURT ADDS ISRAEL CRUZ AS A CLASS MEMBER IN THE ABOVE CAPTIONED MATTER.(Halley, Taylor) Modified on 4/24/2020 (Lyness, Paul). (Entered: 04/21/2020)
04/21/2020	<u>20</u>	MOTION REQUESTING THAT THE DISTRICT COURT ADDS MARK L. TASKER AS A CLASS MEMBER IN THE ABOVE CAPTIONED MATTER.(Halley, Taylor) Modified on 4/24/2020 (Lyness, Paul). (Entered: 04/21/2020)
04/21/2020	<u>21</u>	MOTION REQUESTING THAT THE DISTRICT COURT ADDS SHARIF HOLMES AS A CLASS MEMBER IN THE ABOVE CAPTIONED MATTER.(Halley, Taylor) Modified on 4/24/2020 (Lyness, Paul). (Entered: 04/21/2020)
04/21/2020	<u>22</u>	MOTION REQUESTING THAT THE DISTRICT COURT ADDS YANEL GREENE AS A CLASS MEMBER IN THE ABOVE CAPTIONED MATTER.(Halley, Taylor) Modified on 4/24/2020 (Lyness, Paul). (Entered: 04/21/2020)
04/21/2020	<u>23</u>	MOTION REQUESTING THAT THE DISTRICT COURT ADDS YEFFRY REYNOSO AS A CLASS MEMBER IN THE ABOVE CAPTIONED MATTER.(Halley, Taylor) Modified on 4/24/2020 (Lyness, Paul). (Entered: 04/21/2020)
04/21/2020	<u>24</u>	MOTION for Leave to File Excess Pages (<i>Unopposed</i>) by Michael Carvajal, Stephen Spaulding.(Piemonte, Eve) (Entered: 04/21/2020)
04/21/2020	<u>25</u>	MOTION REQUESTING THAT THE DISTRICT COURT ADDS MICHAEL D. SCOTT AS A CLASS MEMBER IN THE ABOVE CAPTIONED MATTER. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3)(Halley, Taylor) Modified on 4/24/2020 (Lyness, Paul). (Entered: 04/21/2020)
04/21/2020	<u>26</u>	MOTION REQUESTING THAT THE DISTRICT COURT ADDS PABLO M. RIVERA AS A CLASS MEMBER IN THE ABOVE CAPTIONED MATTER. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Halley, Taylor) Modified on 4/24/2020 (Lyness, Paul). (Entered: 04/21/2020)
04/22/2020	27	Judge George A. O'Toole, Jr: ELECTRONIC ORDER entered granting <u>24</u> Motion for Leave to File Excess Pages ; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include – Leave to file granted on (date of order)– in the caption of the document. (Halley, Taylor) (Entered: 04/22/2020)
04/22/2020	<u>28</u>	MOTION REQUESTING THAT THE DISTRICT COURT ADDS JERMANE M. SAMUEL AS A CLASS MEMBER IN THE ABOVE CAPTIONED MATTER..(Halley, Taylor) Modified on 4/24/2020 (Lyness, Paul). (Entered: 04/22/2020)
04/22/2020	<u>29</u>	MOTION REQUESTING THAT THE DISTRICT COURT ADDS KAREEM H. WOOD AS A CLASS MEMBER IN THE ABOVE CAPTIONED MATTER..(Halley, Taylor) Modified on 4/24/2020 (Lyness, Paul). (Entered: 04/22/2020)
04/22/2020	<u>30</u>	MOTION REQUESTING THAT THE DISTRICT COURT ADDS MODESTO OZUNA AS A CLASS MEMBER IN THE ABOVE CAPTIONED MATTER..(Halley, Taylor) Modified on 4/24/2020 (Lyness, Paul). (Entered: 04/22/2020)

04/22/2020	<u>31</u>	MOTION REQUESTING THAT THE DISTRICT COURT ADDS YEFFRY REYNOSO AS A CLASS MEMBER IN THE ABOVE CAPTIONED MATTER..(Halley, Taylor) Modified on 4/24/2020 (Lyness, Paul). (Entered: 04/22/2020)
04/22/2020	<u>32</u>	RESPONSE/ANSWER to <u>1</u> Petition for Writ of Habeas Corpus (2241), and <i>Omnibus Response to Motion for Class Certification, Motion for Temporary and Injunctive Relief</i> by Michael Carvajal, Stephen Spaulding. (Attachments: # <u>1</u> Declaration, # <u>2</u> Declaration, # <u>3</u> AG Memo Mar. 2020, # <u>4</u> AG Memo Apr. 2020)(Piemonte, Eve) (Main Document 32 replaced on 4/23/2020) (Halley, Taylor). (Entered: 04/22/2020)
04/23/2020	33	ELECTRONIC NOTICE Setting Hearing on Motion <u>3</u> MOTION for Temporary Restraining Order , <i>Immediate Bail Consideration, and Preliminary Injunctive Relief</i> : This hearing will be conducted by video conference. Counsel of record will receive a video conference invite at the email registered in CM/ECF. If you have technical or compatibility issues with the technology, please notify the sessions courtroom deputy as soon as possible.Access to the hearing will be made available to the media and public. In order to gain access to the hearing, you must sign up at the following address: www.public.mad.uscourts.gov/seating-signup .For questions regarding access to hearings, you may refer to the Courts general orders and public notices available on www.mad.uscourts.gov or contact media@mad.uscourts.gov . Motion Hearing set for 4/27/2020 03:00 PM in Courtroom 22 before Judge George A. OToole Jr.. Please mark your calendars accordingly.(Lyness, Paul) (Entered: 04/23/2020)
04/24/2020	34	Judge George A. OToole, Jr: ELECTRONIC ORDER entered. The several motions requesting that the movant be "added as a 'class member'" (dkt. nos. 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 28, 29, 30, and 31) are all DENIED WITHOUT PREJUDICE as premature. Whether a class will be certified has yet to be determined.(Lyness, Paul) Modified on 4/24/2020 (Lyness, Paul). (Entered: 04/24/2020)
04/24/2020	<u>35</u>	Assented to MOTION for Leave to File Excess Pages by Michael Gordon, Alexander Grinis, Angel Soliz.(Fick, William) (Entered: 04/24/2020)
04/24/2020	<u>36</u>	DECLARATION re <u>32</u> Response to Petition for Writ of Habeas Corpus – 2241, (<i>Supplemental</i>) by Michael Carvajal, Stephen Spaulding. (Attachments: # <u>1</u> Declaration)(Piemonte, Eve) (Entered: 04/24/2020)
04/24/2020	37	Judge George A. O'Toole, Jr: Electronic Order entered GRANTING <u>35</u> Motion for Leave to File Excess Pages. <u>See</u> L.R. 7.1(b)(3) (requiring leave to file a reply brief); <u>id.</u> 7.1(b)(4) (requiring leave to file in excess of 20 pages). Any reply by the petitioners is due by Monday, April 27, 2020, at 9:00 a.m. and is limited to no more than 25 pages. (Halley, Taylor) (Entered: 04/24/2020)
04/27/2020	<u>38</u>	REPLY to Response to <u>3</u> MOTION for Temporary Restraining Order , <i>Immediate Bail Consideration, and Preliminary Injunctive Relief</i> , <u>5</u> MOTION to Certify Class or Representative Habeas Action filed by Michael Gordon, Alexander Grinis, Angel Soliz. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Fick, William) (Entered: 04/27/2020)
04/27/2020	39	Electronic Clerk's Notes for proceedings held before Judge George A. OToole, Jr: Motion Hearing held on 4/27/2020 re <u>3</u> MOTION for Temporary Restraining Order , <i>Immediate Bail Consideration, and Preliminary Injunctive Relief</i> filed by Alexander Grinis, Angel Soliz, Michael Gordon. The court takes the matter under advisement. (Court Reporter: Kathleen Silva at kathysilva@verizon.net .)(Attorneys present: For Petitioner's: William Fick, Daniel Marx, Jessie Rossman, Matthew Segal; For Respondents: Eve Piemonte) (Lyness, Paul) (Entered: 04/27/2020)
04/30/2020	<u>40</u>	Notice of Supplemental Authorities re <u>3</u> MOTION for Temporary Restraining Order , <i>Immediate Bail Consideration, and Preliminary Injunctive Relief</i> (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Fick, William) (Entered: 04/30/2020)
05/04/2020	<u>41</u>	Second Notice of Supplemental Authorities re <u>3</u> MOTION for Temporary Restraining Order , <i>Immediate Bail Consideration, and Preliminary Injunctive Relief</i> (Fick, William) (Entered: 05/04/2020)
05/04/2020	<u>42</u>	EXHIBIT re <u>41</u> Notice of Supplemental Authorities (<i>6th Cir. Wilson Decision</i>) by Michael Gordon, Alexander Grinis, Angel Soliz. (Fick, William) (Entered: 05/04/2020)

		05/04/2020)
05/07/2020	<u>43</u>	Supplemental Opposition re <u>3</u> MOTION for Temporary Restraining Order , <i>Immediate Bail Consideration, and Preliminary Injunctive Relief [Notice of Supplemental Authorities]</i> filed by Michael Carvajal, Stephen Spaulding. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Piemonte, Eve) (Entered: 05/07/2020)
05/08/2020	<u>44</u>	MOTION to Consolidate Cases by Michael Carvajal, Stephen Spaulding.(Piemonte, Eve) Modified on 6/11/2020 (Lyness, Paul). (Entered: 05/08/2020)
05/08/2020	<u>45</u>	Judge George A. O'Toole, Jr: OPINION AND ORDER entered denying <u>3</u> Motion for Immediate Bail Consideration, Temporary Restraining Order, and Preliminary Injunctive Relief. (Halley, Taylor) (Entered: 05/08/2020)
05/08/2020	<u>46</u>	<p>ELECTRONIC NOTICE Setting Hearing on Motion <u>5</u> MOTION to Certify Class <i>or Representative Habeas Action</i> :</p> <p>This hearing will be conducted by video conference. Counsel of record will receive a video conference invite at the email registered in CM/ECF. If you have technical or compatibility issues with the technology, please notify the session's courtroom deputy as soon as possible.</p> <p>Access to the hearing will be made available to the media and public. In order to gain access to the hearing, you must sign up at the following address: www.public.mad.uscourts.gov/seating-signup.</p> <p>For questions regarding access to hearings, you may refer to the Court's general orders and public notices available on www.mad.uscourts.gov or contact media@mad.uscourts.gov.</p> <p>Motion Hearing set for 5/12/2020 02:00 PM before Judge George A. O'Toole Jr. (Halley, Taylor) (Entered: 05/08/2020)</p>
05/11/2020	<u>47</u>	RESPONSE to Motion re <u>44</u> MOTION to Consolidate Cases filed by Michael Gordon, Alexander Grinis, Angel Soliz. (Fick, William) (Entered: 05/11/2020)
05/12/2020	<u>48</u>	NOTICE by Michael Carvajal, Stephen Spaulding <i>Regarding Petitioner Alexander Grinis</i> (Attachments: # <u>1</u> Exhibit Memorandum and Order)(Piemonte, Eve) (Entered: 05/12/2020)
05/12/2020	<u>49</u>	MOTION to Substitute Party by Michael Gordon, Angel Soliz. (Attachments: # <u>1</u> Declaration of Pablo Rivera)(Fick, William) Modified on 6/11/2020 (Lyness, Paul). (Entered: 05/12/2020)
05/12/2020	<u>50</u>	Electronic Clerk's Notes for proceedings held before Judge George A. O'Toole, Jr: Motion Hearing held by Zoom on 5/12/2020 re <u>5</u> MOTION to Certify Class <i>or Representative Habeas Action</i> filed by Alexander Grinis, Angel Soliz, Michael Gordon. The Court takes the matter under advisement. (Court Reporter: Kathleen Silva at kathysilva@verizon.net.)(Attorneys present: For Petitioners: William Fick, Amy Barsky, Daniel Marx, Jessie Rossman, Matthew Segal; For Respondents: Eve Piemonte) (Lyness, Paul) (Entered: 05/12/2020)
05/14/2020	<u>51</u>	Third Notice of Supplemental Authorities re <u>5</u> MOTION to Certify Class <i>or Representative Habeas Action</i> (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Rossman, Jessie) (Entered: 05/14/2020)
05/26/2020	<u>52</u>	MOTION for Reconsideration re <u>45</u> Order on Motion for TRO by Michael Gordon, Angel Soliz. (Attachments: # <u>1</u> Memorandum in Support)(Rossman, Jessie) Modified on 6/11/2020 (Lyness, Paul). (Entered: 05/26/2020)
05/27/2020	<u>53</u>	MEMORANDUM in Support re <u>52</u> MOTION for Reconsideration re <u>45</u> Order on Motion for TRO filed by Michael Gordon, Angel Soliz. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Rossman, Jessie) (Entered: 05/27/2020)
05/27/2020	<u>54</u>	Supplemental Opposition re <u>5</u> MOTION to Certify Class <i>or Representative Habeas Action (Notice of Supplemental Authority)</i> filed by Michael Carvajal, Stephen Spaulding. (Attachments: # <u>1</u> Opinion – Wragg v. Ortiz)(Piemonte, Eve) (Entered: 05/27/2020)

05/29/2020	<u>55</u>	Transcript of Video Conference Motion Hearing held on April 27, 2020, before Judge George A. OToole. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Kathleen Silva at kathysilva@verizon.net Redaction Request due 6/19/2020. Redacted Transcript Deadline set for 6/29/2020. Release of Transcript Restriction set for 8/27/2020. (Scalfani, Deborah) (Entered: 05/29/2020)
05/29/2020	<u>56</u>	Transcript of Video Conference Motion Hearing held on May 12, 2020, before Judge George A. OToole. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Kathleen Silva at kathysilva@verizon.net Redaction Request due 6/19/2020. Redacted Transcript Deadline set for 6/29/2020. Release of Transcript Restriction set for 8/27/2020. (Scalfani, Deborah) (Entered: 05/29/2020)
05/29/2020	57	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at http://www.mad.uscourts.gov/attorneys/general-info.htm (Scalfani, Deborah) (Entered: 05/29/2020)
06/09/2020	<u>58</u>	Opposition re <u>52</u> MOTION for Reconsideration re <u>45</u> Order on Motion for TRO filed by Michael Carvajal, Stephen Spaulding. (Attachments: # <u>1</u> Exhibit Declaration, # <u>2</u> Exhibit Declaration, # <u>3</u> Exhibit Supreme Court Order of Stay)(Piemonte, Eve) (Entered: 06/09/2020)
06/10/2020	<u>59</u>	Supplemental Opposition re <u>52</u> MOTION for Reconsideration re <u>45</u> Order on Motion for TRO (<i>Notice of Supplemental Authority</i>) filed by Michael Carvajal, Stephen Spaulding. (Attachments: # <u>1</u> Exhibit Wilson v. Williams, # <u>2</u> Exhibit Chunn v. Edge)(Piemonte, Eve) (Entered: 06/10/2020)
06/11/2020	<u>60</u>	Judge George A. OToole, Jr: OPINION AND ORDER entered. (Lyness, Paul) (Entered: 06/11/2020)
06/18/2020	<u>61</u>	MOTION RESPONSE TO COURTS JUNE 11, 2020 ORDER AND MOTION TO CLARIFY OR, ALTERNATIVELY, TO VACATE COURTS MAY 8, 2020 ORDER re <u>60</u> Order, <u>45</u> Order on Motion for TRO by Michael Gordon, Angel Soliz.(Fick, William) (Entered: 06/18/2020)
07/02/2020	62	Judge George A. OToole, Jr: Electronic Order entered: The petitioners have declined to proceed in this case under the Prison Litigation Reform Act, 18 U.S.C. § 3626 (<u>See</u> Pet'rs' Resp. to Court's June 11, 2020 Order and Mot. to Clarify or, Alternatively, to Vacate Ct.'s May 8, 2020 Order (dkt. no. 61).) Therefore, in accordance with the Court's prior Opinion and Order, this action is DISMISSED. (<u>See</u> Opinion and Order dated June 11, 2020 (dkt. no 60).) The assertion in the motion that the Court determined it lacked subject matter jurisdiction over the action is not correct. A district court plainly has jurisdiction over a cause of action purported to be brought under the authority of 28 U.S.C. § 2241. The action is dismissed not for lack of subject matter jurisdiction but because the complaint did not properly state a claim under § 2241. The previous orders in this action remain unchanged.(Lyness, Paul) Modified on 7/6/2020 (Lyness, Paul). (Entered: 07/02/2020)
07/02/2020	<u>63</u>	Judge George A. OToole, Jr: ORDER entered. ORDER DISMISSING CASE(Lyness, Paul) (Entered: 07/02/2020)