



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY RESERVE PERSONNEL COMMAND
1 RESERVE WAY
ST. LOUIS, MISSOURI 63132-5200

APR 09 2003

*Arrived by
overnight mail
4.17.03*

Special Inquiries Team

Ms Devvy Kidd
PO Box 60543
Sacramento, CA, 95860-0543

Dear Ms Kidd:

On April 8, 2003, I responded to your Freedom of Information Act requests dated May 28, 2002 and December 13, 2002.

I disclosed a copy of a discharge order; however, the social security number and other personal information contained in the discharge order were withheld under Title 5, U.S. Code, §552(b)(6). I determined that release of said information would result in a clearly unwarranted invasion of personal privacy. I also determined that no other records within the scope of your requests were available at this command.

I advised you that you had the option to appeal each of my determinations in writing within 60 days of the date of my letter. Your January 6, 2003, appeal was received January 15, 2003. I advised you that I would accept your January 6, 2003, appeal as an appeal to my April 8, 2003, determinations.

Pursuant to Army Regulation 25-55, your appeal has been forwarded to the Secretary of the Army, Office of the General Counsel, Attention: V. Newhouse, 104 Army Pentagon, Room 2E725, Washington, DC, 20310-0104, for appropriate action and a direct response.

Sincerely,

Elton C. Bruce
Colonel, U.S. Army
Commanding

1 (m) Other Matters: None.

2 Dated: May ____, 2003

3
4 DEVVY KIDD
Plaintiff Pro Se

5 Dated: May 21, 2003

6 MCGREGOR W. SCOTT
United States Attorney

7
8 By: 

9 YOSHINORI H. T. HIMEL
Assistant U. S. Attorney



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY RESERVE PERSONNEL COMMAND
1 RESERVE WAY
ST. LOUIS, MISSOURI 63132-5200

APR 08 2003

Special Inquiries Team

*Arrived by
overnight mail
4.17.03*

Ms Devvy Kidd
PO Box 60543
Sacramento, CA, 95860-0543

Dear Ms Kidd:

This is in response to your request for military medical and personnel records pertaining to Timothy James McVeigh. Your May 28, 2002, request letter was received in this agency on August 1, 2002. Your December 8, 2002, request letter was received in this agency on December 13, 2002. Your requests were processed under the Freedom of Information Act (FOIA). This letter addresses both requests. Fees allowable under the FOIA are waived.

A copy of a discharge order is enclosed. The social security number and other personal information contained in the discharge order are being withheld under Title 5, U.S. Code, §552(b)(6). I have determined that release of said information would result in a clearly unwarranted invasion of personal privacy. You may appeal this determination using the procedures described below.

I have also determined that no other records within the scope of your requests are available at this command. A "no records" determination may be considered an adverse determination. If you consider my no records determination to be an adverse determination, you may appeal this determination using the procedures described below.

In light of the above, your request is partially denied. This partial denial is made by the undersigned under authority delegated to me by Lieutenant General James R. Helmly, Chief, Army Reserve. You may appeal this partial denial. Any appeal you wish to submit must be done in writing, within 60 calendar days of the date of this letter, to this Command, Attention: ARPC-ZCC-A. Your appeal should contain a copy of this letter and outline the basis on which you disagree with the partial denial. Upon receipt of any appeal you may submit, I will forward it to the Secretary of the Army, Office of the General Counsel, Attention: V. Newhouse, 104 Army Pentagon, Room 2E725, Washington, DC, 20310-0104, for a final determination.

I recognize that my determinations above are substantially the same as the determinations made by Ms Wanda Farrow in her 2 responses to you on August 9, 2002 and December 20, 2002. I also recognize that you appealed her determinations in writing on January 6, 2003. In light thereof, I accept your January 6, 2003 appeal as an appeal to my determinations. I will notify you by separate correspondence when your appeal is forwarded to Secretary of the Army General Counsel.

Sincerely,

A handwritten signature in cursive script, appearing to read "Elton C. Bruce".

Elton C. Bruce
Colonel, U.S. Army
Commanding

Enclosures

NOF

DEPARTMENT OF THE ARMY
U. S. ARMY RESERVE PERSONNEL CENTER
8700 PAGE AVENUE
ST. LOUIS, MO 63132-5200

ARPC-SFS-R
ORDERS D-05-642663

14 MAY 86

MCVEIGH TIMOTHY JAMES
[REDACTED]

SFS-R

[REDACTED] SGT 11H2
USAR CONTROL GROUP (AT)

YOU ARE DISCHARGED FROM THE COMPONENT SHOWN.

AUTHORITY: AR 135-178
EFFECTIVE DATE: 14 MAY 96
COMPONENT: UNITED STATES ARMY RESERVE
TYPE OF DISCHARGE: HONORABLE
ADDITIONAL INSTRUCTIONS: IF RESERVE ID DD FORM 2A (RED) IS IN YOUR POSSESSION
RETURN IT TO THIS HQS. ATTN: ARPC-PAS-EVC. IF YOU HAVE ANY QUESTIONS IN THE
FUTURE ABOUT YOUR MILITARY RECORDS OR YOUR MILITARY SERVICE, ASK THE
NATIONAL PERSONNEL RECORDS CENTER, 8700 PAGE BLVD ST LOUIS MISSOURI
63132-5200. AS YOU NO LONGER HAVE ANY MILITARY STATUS, YOUR RECORDS ARE NO
LONGER HELD BY THE ARMY. REMEMBER TO INCLUDE YOUR FULL NAME, SOCIAL SECURITY
NUMBER AND ALL PREVIOUS SERVICE NUMBERS SO THAT YOUR RECORD CAN BE
POSITIVELY IDENTIFIED. SFSR-10

"SUBJECT BEING DISCHARGED ALTHOUGH ASSIGNED TO THIS ORGANIZATION.
IS NOT PRESENT FOR DUTY. DISCHARGE CERTIFICATE AND DISCHARGE ORDERS
ARE BEING MAILED TO LAST KNOWN ADDRESS THIS DATE, 08 July 1996"

FORMAT: 500

* ARPERCEN *
* OFFICIAL *

NORMAN S. BRINSLEY
COL, SF
COMMANDING

DISTRIBUTION: H2 PACKET: 15



DEPARTMENT OF THE ARMY
OFFICE OF THE GENERAL COUNSEL
104 ARMY PENTAGON
WASHINGTON, DC 20310-0104

April 21, 2003



REPLY TO
ATTENTION OF

Ms. Devvy Kidd
P.O. Box 60543
Sacramento, California 95860

Dear Ms. Kidd:

This letter acknowledges our receipt of your Freedom of Information Act (FOIA) appeal dated January 6, 2003, from the U.S. Army Reserve Personnel Command.

Your appeal will be reviewed on a first-in, first-out basis. We want to assure you that we will review your appeal in turn and respond to you as expeditiously as possible.

Sincerely,

Victoria Jeney Newhouse
Assistant to the General Counsel

1 McGREGOR W. SCOTT
2 United States Attorney
3 YOSHINORI H. T. HIMEL #66194
4 Assistant U. S. Attorney
5 501 I Street, Suite 10-100
6 Sacramento, California 95814
7 Telephone: (916) 554-2760

8 Attorneys for Defendant

**ORIGINAL
FILED**

MAY 27 2003

**CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**
DEPUTY CLERK

8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 EASTERN DISTRICT OF CALIFORNIA

11 DEVVY KIDD,

12 Plaintiff,

13 v.

14 DEPARTMENT OF THE ARMY,

15 Defendant.

CIV. S-03-0225-DFL/GGH-PS

**DEFENDANT'S SEPARATE STATUS
REPORT**

17 Defendant has been unable to secure plaintiff's cooperation in
18 making a Joint Status Report in compliance with the Order Requiring
19 Timely Service and Joint Status Report filed February 5, 2003. On
20 April 24, 2003, plaintiff filed a "Timely Service and Status
21 Report," that is, a separate status report not complying with that
22 order. Exhibit A hereto. On May 21, 2003, defense counsel wrote to
23 plaintiff enclosing a proposed Joint Status Report. Letter, Exhibit
24 B hereto; proposed joint report, Exhibit C hereto. On May 27, 2003,
25 plaintiff wrote defense counsel saying "I feel I have fulfilled my
26 obligation to the court." Exhibit D hereto.

27 Accordingly, defendant makes its separate status report as
28 follows:

1 (a) Progress in Serving Process: Plaintiff contends that her
2 service of process is good. Defendant contends that plaintiff
3 failed to serve the summons and complaint by certified mail on the
4 Department of the Army at Washington, D.C. and the Attorney General
5 at Washington, D.C., and failed to direct a copy to the Civil
6 Process Clerk at the United States Attorney's Office, as required by
7 Fed. R. Civ. P. 4(i).

8 (b) Possible Joinder of Additional Parties: None suggested.

9 (c) Expected or Desired Amendment of Pleadings: None
10 contemplated.

11 (d) Jurisdiction and Venue: Subject matter jurisdiction is
12 under 5 U.S.C. § 552(a)(4)(B). In personam jurisdiction is
13 contested, see (a) above. Venue is not contested.

14 (e) Anticipated Motions and their Scheduling: Defendant
15 contemplates being able to file a FOIA summary judgment motion
16 within 60 days.

17 (f) Report Required by Rule 26 Outlining Discovery Plan and Its
18 Scheduling, Including Disclosure of Expert Witnesses: Plaintiff
19 filed a purported Rule 26 disclosure under the title "Rule 26(a)
20 Conference" on April 24, 2003. Plaintiff's separate status report,
21 item f, says plaintiff contemplates no discovery.

22 Defendant made its Rule 26 disclosures by letter dated May 21,
23 2003. Defendant plans to use items mentioned in its Rule 26
24 disclosures as exhibits to a summary judgment motion under Vaughn v.
25 Rosen, and does not contemplate further discovery.

26 (g) Cut-off Dates for Discovery and Law and Motion, and Dates
27 for Pretrial Conference and Trial: See (h) below.

1 (h) Special Procedures: FOIA cases normally are decided on
2 summary judgment motion. Because of this, it is suggested that the
3 Court schedule a motion filing, see (e) above, but that the Court
4 not set the case for pretrial and trial.

5 (i) Estimated Trial Time: Defendant knows of no triable issues
6 of fact and therefore cannot estimate trial time.

7 (j) Modification of Standard Pretrial Procedures: See (h)
8 above.

9 (k) Whether the Case Is Related to Any Other Case, Including
10 Bankruptcy: None known.


11 (l) Whether a Settlement Conference Should Be Scheduled: Not
12 recommended.

13 (m) Other Matters: None.

14 Dated: May 27, 2003

McGREGOR W. SCOTT
United States Attorney

15
16
17 By:


YOSHINORI H. T. HIMEL
Assistant U. S. Attorney

**ORIGINAL
FILED**

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**
EASTERN

APR 24 2003

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DEVVY KIDD,
2133 Sherington Way
Sacramento, California 95835

Plaintiff,

v.

Department of the Army
U.S. Army Reserve
Personnel Command
1 Reserve Way
St. Louis, MO 63132

Defendant.

)
)
) Case No. CIV. S-03-225 DFL GGH-
) PS

)
)
) Timely Service and Status Report

Timely Service and Status Report

(a) Service of process

Defendant was served as follows:

Yoshinori H. T. Himel
United States Attorney
501 I Street
Suite 10-100
Sacramento, California 95814

Certified Mail receipt 7001 0360 0004 3146 9305 was signed for on February 10, 2003.

(b) Joinder of additional parties. None.

(c) Amendment of pleadings. None.

(d) Jurisdiction and venue. Defendant is an agency of the U.S. Government.

(e) Anticipated motions. None.

(f) Anticipated discovery and disclosure of expert witnesses. None.

(g) Future proceedings, including setting appropriate deadlines for discovery, motions, and scheduling the pretrial conference and trial.

Plaintiff has not received any notification from the court for pretrial conference as of April 22, 2003. Plaintiff has received Defendant's Answer for this case.

(h) Estimate of length of trial. One hour.

(i) Modification of standard pretrial procedures specified by the rules due to the relative simplicity or complexity of the action or proceedings. None.

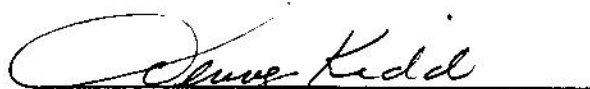
(j) Whether the case is related to any other case, including any matter in bankruptcy. Case CIV. S-03-0222-EGN PAN-PS is not related to any others.

(k) Whether a settlement conference should be scheduled. None.

(l) Any other matters that may add to the just and expeditious disposition of this matter.

If Defendant would turn over all the documents requested under the original FOIA, this matter could be concluded without a trial. There are no national security or privacy issues regarding Plaintiff's FOIA request. The subject of the FOIA has been dead for almost two years.

Respectfully submitted:



Devvy Kidd
2133 Sherington Way
Sacramento, California 95835
916-928-0199



U.S. Department of Justice

United States Attorney
Eastern District of California

501 I Street, Suite 10-100
Sacramento, California 95814

916/554-2700
Private line 916/554-2760
Fax 916/554-2900

May 21, 2003

Ms. Devvy Kidd
P.O. Box 60543
2133 Sherington Way
Sacramento, CA 95835

Re: Kidd v. Dep't of Army, CIV-S-03-0225-DFL/GGH-PS

Dear Ms. Kidd:

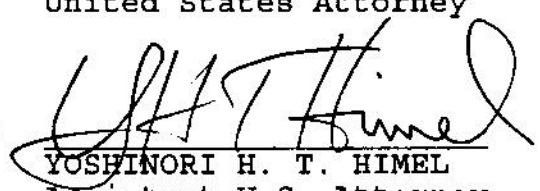
Enclosed please find the original and one copy of a proposed Joint Status Report, due in court by May 27, 2003 according to my calculation under the Order Requiring Timely Service and Joint Status Report filed February 5, 2003. I have signed the proposed joint report. Would you please examine it. If it is satisfactory, please sign and send me the original. The copy is for your files. A business reply envelope is enclosed for your convenience.

Thank you for your cooperation.

Very truly yours,

McGREGOR W. SCOTT
United States Attorney

By:


YOSHINORI H. T. HIMEL
Assistant U.S. Attorney

cc: MAJ Samuel Morris, by fax to 703-696-2532

1 MCGREGOR W. SCOTT
United States Attorney
2 YOSHINORI H. T. HIMEL #66194
Assistant U. S. Attorney
3 501 I Street, Suite 10-100
Sacramento, California 95814
4 Telephone: (916) 554-2760

5 Attorneys for Defendant
6
7

8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 EASTERN DISTRICT OF CALIFORNIA
10

11 DEVVY KIDD,

12 Plaintiff,

13 v.

14 DEPARTMENT OF THE ARMY,

15 Defendant.
16

CIV. S-03-0225-DFL/GGH-PS

**PARTIES' JOINT STATUS
REPORT**

17 The parties to the captioned action, in compliance with the
18 Order Requiring Timely Service and Joint Status Report filed
19 February 5, 2003, make their joint status report as follows:

20 (a) Progress in Serving Process: Plaintiff contends that her
21 service of process is good. Defendant contends that plaintiff
22 failed to serve the summons and complaint by certified mail on the
23 Department of the Army at Washington, D.C. and the Attorney General
24 at Washington, D.C., and failed to direct a copy to the Civil
25 Process Clerk at the United States Attorney's Office, as required by
26 Fed. R. Civ. P. 4(i).

27 (b) Possible Joinder of Additional Parties: None suggested.
28

1 (c) Expected or Desired Amendment of Pleadings: None
2 contemplated.

3 (d) Jurisdiction and Venue: Subject matter jurisdiction is
4 under 5 U.S.C. § 552(a)(4)(b). In personam jurisdiction is
5 contested, see (a) above. Venue is not contested.

6 (e) Anticipated Motions and their Scheduling: Defendant
7 contemplates being able to file a FOIA summary judgment motion
8 within 60 days.

9 (f) Report Required by Rule 26 Outlining Discovery Plan and Its
10 Scheduling, Including Disclosure of Expert Witnesses: Defendant has
11 made its Rule 26 disclosures by letter dated May 21, 2003.
12 Defendant plans to use items mentioned in the Rule 26 disclosures as
13 exhibits to a summary judgment motion under Vaughn v. Rosen.
14 Defendant does not contemplate further discovery.

15 (g) Cut-off Dates for Discovery and Law and Motion, and Dates
16 for Pretrial Conference and Trial: See (h) below.

17 (h) Special Procedures: The overwhelming majority of FOIA
18 cases are decided on summary judgment motion. Because of this, it
19 is suggested that the Court schedule a motion filing, see (e) above,
20 but not set the case for pretrial and trial.

21 (i) Estimated Trial Time: Defendant knows of no triable issues
22 of fact.

23 (j) Modification of Standard Pretrial Procedures: See (h)
24 above.

25 (k) Whether the Case Is Related to Any Other Case, Including
26 Bankruptcy: None known.

27 (l) Whether a Settlement Conference Should Be Scheduled: Not
28 recommended.



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY RESERVE PERSONNEL COMMAND
1 RESERVE WAY
ST. LOUIS, MISSOURI 63132-5200

APR 08 2003

Special Inquiries Team

*arrived by
overnight mail
4.17.03*

Ms Devvy Kidd
PO Box 60543
Sacramento, CA, 95860-0543

Dear Ms Kidd:

On August 9, 2002, I responded to your request for military medical and personnel records pertaining to Timothy James McVeigh dated May 28, 2002. On December 20, 2002, I responded to your second request for military medical and personnel records pertaining to Timothy James McVeigh dated December 8, 2002. Each request was processed under the Freedom of Information Act (FOIA).

In each instance, I provided a copy of a discharge order. Again in each instance, the social security number and other personal information contained in the discharge order were withheld under Title 5, U.S. Code, §552(b)(6), based on my determination that release of said information would result in a clearly unwarranted invasion of personal privacy. Also in each instance I advised you that no other records within the scope of your requests were available at this command. I concluded each letter advising you of the manner in which you could appeal my determinations should you so elect.

This letter is to advise you that my office does not possess the administrative authority to render these determinations for the U.S. Army Reserve Personnel Command. Consequently, each of your requests is now being reviewed by the appropriate authority within this organization. You will soon receive an initial determination of your previous FOIA requests directly from Colonel Elton C. Bruce, Commander, U.S. Army Reserve Personnel Command, once the review is complete.

I regret any inconvenience this misunderstanding may have caused.

Sincerely,

Wanda Farrow
Wanda Farrow
Case Analyst

Devvy Kidd
P.O. Box 60543
Sacramento, California 95860
916-928-0199 / e-mail: power@devvy.com

May 27, 2003

Mr. Yoshinori H.T. Himel
Assistant U.S. Attorney
U.S. Department of Justice
Faxed to: 916-554-2900

Re: Kidd v. Department of Army, CIV.-S-03-0225-DFL/GGH-PS

Dear Mr. Himel:

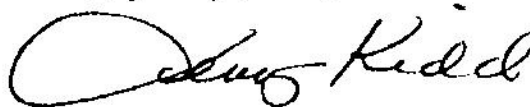
I received the proposed 'Joint Status Report' you mailed to me dated May 21, 2003 with a request that I review and sign it.

Before I left for Washington, DC, I filed with the court two documents: Rule 26(a) Conference and Timely Service and Status Report. I sent you copies of these filings and they were signed for by someone in your office on April 25, 2003.

I feel I have fulfilled my obligation to the court. Additionally, I disagree with the content of your document.

On page 2 of your document you state that "Defendant has made its Rule 26 disclosures by letter dated Mary [typo] 21, 2003." I will be visiting the court house today to obtain a copy of this document.

Very truly yours,

A handwritten signature in cursive script that reads "Devvy Kidd". The signature is written in dark ink and is positioned above the printed name.

Devvy Kidd

1
2 **CERTIFICATE OF SERVICE BY MAIL**

3 The undersigned hereby certifies that she is an employee in the
4 Office of the United States Attorney for the Eastern District of
5 California and is a person of such age and discretion to be
6 competent to serve papers.

7 That on May 27, 2003, she served a copy of:

8 **DEFENDANT'S SEPARATE STATUS REPORT**

9 by placing said copy in an envelope addressed to the persons
10 hereinafter named, at the places and addresses shown below, which
11 are the last known addresses, and mailing said envelope and contents
12 in the U.S. Mail in Sacramento, California.

13 **Addressees:**

14 Ms. Devvy Kidd
15 2133 Sherington Way
16 Sacramento, CA 95835
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CAROL BROWN

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FILED

JUN - 4 2003

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEVVY KIDD,

Plaintiff,

No. CIV S-03-225 DFL GGH PS

vs.

DEPARTMENT OF THE ARMY,

Defendant.

ORDER

_____/

The parties have filed separate status reports. It appearing that the parties have made the disclosures required by Rule 26, that no further discovery is contemplated, and that this case is susceptible of resolution by motion, the court at this time will set only a date by which dispositive motions should be filed.

Accordingly, it is ordered that law and motion shall be conducted so as to be completed by October 2, 2003. The word "completed" in this context means that all law and motion matters must be heard by the above date. The parties are cautioned to refer to the local rules regarding the requirements for noticing such motions on the court's regularly scheduled law and motion calendar. This paragraph does not preclude motions for continuances, temporary restraining orders or other emergency applications


////

1 The parties should keep in mind that the purpose of law and motion is to narrow
2 and refine the legal issues raised by the case, and to dispose of by pretrial motion those issues
3 that are susceptible to resolution without trial. To accomplish that purpose, the parties need to
4 identify and fully research the issues presented by the case, and then examine those issues in light
5 of the evidence gleaned through discovery. If it appears to the parties after examining the legal
6 issues and facts that an issue can be resolved by pretrial motion, the parties are to file the
7 appropriate motion to be heard by the law and motion cutoff set forth supra.

8 Thereafter, the court will set dates for further proceedings if necessary.

9 DATED: June 2, 2003.

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GREGORY G. HOLLOWES
U. S. MAGISTRATE JUDGE

GGH/oss
Kidd.ro.wpd

United States District Court
for the
Eastern District of California
June 4, 2003

* * CERTIFICATE OF SERVICE * *

2:03-cv-00225

Kidd

v.

US Dept of the Army

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Eastern District of California.

That on June 4, 2003, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office, or, pursuant to prior authorization by counsel, via facsimile.

Devvy Kidd
2133 Sherington Way
Sacramento, CA 95835

VC/GGH

Yoshinori H T Himel
United States Attorney
501 I Street
Suite 10-100
Sacramento, CA 95814

Jack L. Wagner, Clerk

BY: 

Deputy Clerk

Case No: 2:03-cv-225 Document No: 10, 1 Copy Printed: Jun, 4, 2003 04:13 PM

Dewy Kidd
2133 Sherington Way
Sacramento, CA 95835

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FILED

JUN - 4 2003

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEVVY KIDD,

Plaintiff,

No. CIV S-03-225 DFL GGH PS

vs.

DEPARTMENT OF THE ARMY,

Defendant.

ORDER

_____/

The parties have filed separate status reports. It appearing that the parties have made the disclosures required by Rule 26, that no further discovery is contemplated, and that this case is susceptible of resolution by motion, the court at this time will set only a date by which dispositive motions should be filed.

Accordingly, it is ordered that law and motion shall be conducted so as to be completed by October 2, 2003. The word "completed" in this context means that all law and motion matters must be heard by the above date. The parties are cautioned to refer to the local rules regarding the requirements for noticing such motions on the court's regularly scheduled law and motion calendar. This paragraph does not preclude motions for continuances, temporary restraining orders or other emergency applications


////

1 The parties should keep in mind that the purpose of law and motion is to narrow
2 and refine the legal issues raised by the case, and to dispose of by pretrial motion those issues
3 that are susceptible to resolution without trial. To accomplish that purpose, the parties need to
4 identify and fully research the issues presented by the case, and then examine those issues in light
5 of the evidence gleaned through discovery. If it appears to the parties after examining the legal
6 issues and facts that an issue can be resolved by pretrial motion, the parties are to file the
7 appropriate motion to be heard by the law and motion cutoff set forth supra.

8 Thereafter, the court will set dates for further proceedings if necessary.

9 DATED: June 2, 2003.

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GREGORY G. HOLLOWES
U. S. MAGISTRATE JUDGE

GGH/055
Kidd.60.wpd

United States District Court
for the
Eastern District of California
June 4, 2003

* * CERTIFICATE OF SERVICE * *

2:03-cv-00225

Kidd

v.

US Dept of the Army

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Eastern District of California.

That on June 4, 2003, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office, or, pursuant to prior authorization by counsel, via facsimile.

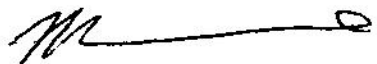
Devvy Kidd
2133 Sherington Way
Sacramento, CA 95835

VC/GGH

Yoshinori H T Himel
United States Attorney
501 I Street
Suite 10-100
Sacramento, CA 95814

Jack L. Wagner, Clerk

BY:


Deputy Clerk

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ECF

DEVVY KIDD,

Plaintiff

v.

DEPARTMENT OF THE ARMY,

Defendant.

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Civil Action No. 03-0784 (HHK)

PRAECIPE

The clerk of this court will please enter the appearance of Special Assistant United States Attorney Claes H. Lewenhaupt Wilson as counsel for the defendant, Department of the Army, in the above captioned case.

Respectfully submitted,



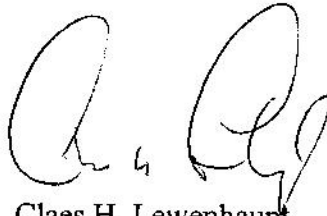
CLAES H. LEWENHAUPT
Special Assistant United States Attorney
Judiciary Center Building
555 4th St., N.W. Room 10-452
Washington, D.C. 20530
(202)353-9895

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of August, 2003, a true and correct copy of the foregoing was sent by first class U.S. Mail, postage prepaid, to:

Devvy Kidd
2133 Sherington Way
Sacramento, CA 95835

Plaintiff

A handwritten signature in black ink, appearing to read 'C. H. Lewenhaupt', written in a cursive style.

Claes H. Lewenhaupt
Special Assistant U.S. Attorney
555 Fourth Street, N.W., 10-452
Washington, D.C. 20530
(202) 353-9895

FILED

JUN 19 2003

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEVVY KIDD,

Plaintiff,

No. CIV S-03-225 DFL GGH PS

vs.

DEPARTMENT OF THE ARMY,

Defendant.

ORDER

Under the FOIA venue statute, 5 U.S.C. 552(a)(4)(B), venue is always proper in the District of Columbia. Accordingly, pursuant to the request of the parties, this case is transferred to the United States District Court for the District of Columbia.

DATED: June 18, 2003.


GREGORY G. HOLLOWES
U. S. MAGISTRATE JUDGE

GGH/055
kidd.fm.wpd

United States District Court
for the
Eastern District of California
June 19, 2003

* * CERTIFICATE OF SERVICE * *

2:03-cv-00225

Kidd

v.

US Dept of the Army

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Eastern District of California.

That on June 19, 2003, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office, or, pursuant to prior authorization by counsel, via facsimile.

Devvy Kidd
2133 Sherington Way
Sacramento, CA 95835

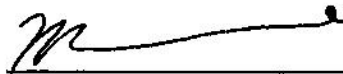
HV/DFL

VC/GGH

Yoshinori H T Himel
United States Attorney
501 I Street
Suite 10-100
Sacramento, CA 95814

TERMINATED DEADLINES

Jack L. Wagner, Clerk

BY: 
Deputy Clerk