

U.S. District Court

CIVIL DOCKET FOR CASE #: 96-CV-2563

Martin v. USA, et al.
Assigned to: Lynn N. Hughes
Demand: \$0
Lead Docket: None
Dkt # in other court: None

Filed: 08/12/96

Nature of Suit: 890
Jurisdiction: US Defendant

Cause: 28:1441 Notice of Removal-Declaratory Judgment

BARBARA MARTIN
plaintiff

Barbara Martin
[COR LD NTC]
12906 West Bellfort
Houston, TX 00000
713-495-4539

v.

UNITED STATES OF AMERICA
defendant

Robert L Bernard
[COR LD NTC]
Office of U S Attorney
P O Box 61129
Houston, TX 77208-1129
713-567-9505

OFFICE OF PRESIDENT OF THE
UNITED STATES OF AMERICA
defendant

Robert L Bernard
[COR LD NTC]
(See above)

THE UNITED STATES DEPARTMENT
OF THE TREASURY, Office Of The
Secretary
defendant

Robert L Bernard
[COR LD NTC]
(See above)

OFFICE OF SECRETARY
defendant

Robert L Bernard
[COR LD NTC]
(See above)

HEALTH & HUMAN SERVICES
DEPARTMENT, Office Of The
Secretary
defendant

Robert L Bernard
[COR LD NTC]
(See above)

SOCIAL SECURITY ADM, Office Of
The Commissioner
defendant

Robert L Bernard
[COR LD NTC]
(See above)

INTERNAL REVENUE SERVICE,
Office Of the Commissioner

Robert L Bernard
[COR LD NTC]

Proceedings include all events.
4:96CV2563 Martin v. USA, et al.

CLOSED APPEAL

Defendant

(See above)

THE STATE OF TEXAS
defendant

OFFICE OF THE GOVERNOR
defendant

Matthew L Rienstra
[COR LD NTC]
Asst Atty Gen
P O Box 12548
Austin, TX 78711-2548
512-463-2080

TEXAS DEPARTMENT OF PUBLIC
SAFETY, Office Of The Director
defendant

Matthew L Rienstra
[COR LD NTC]
(See above)

OFFICE OF THE FORT BEND COUNTY
CLERK
defendant

Randall Weaver Morse
[COR LD NTC]
Fort Bend County Attorney
301 Jackson
Ste 621
Richmond, TX 77469
381-341-4555

FORT BEND COUNTY, TEXAS
Defendant

Randall Weaver Morse
[COR LD NTC]
(See above)

- 08/12/96 1 NOTICE OF REMOVAL; filed (ad) [Entry date 08/13/96]
- 08/12/96 2 ORDER | set pretrial conference for 11:30 12/16/96| ,
entered; Parties notified. (signed by Judge Lynn N. Hughes
) (ad) [Entry date 08/13/96]
- 08/20/96 3 MOTION |to dismiss| by defts USA, Office Of President et al
filed. |Motion Docket Date 9/9/96 [3-1] motion|. (nd)
[Entry date 08/21/96]
- 09/06/96 4 MOTION |for default judgment against USA, Office Of
President, US Dept Of Treasury, Office Of Secretary, Health
& Human Services, Social Security Adm, IRS, State of Texas,
Office Of Governor, Texas Dept Public, Fort Bend Co Clerk,
Fort Bend County| by Barbara Martin filed; |Motion Docket
Date 9/26/96 [4-1] motion|. PLACED IN BROWN EXPANDEX FOLDER
(nd) [Entry date 09/09/96]
- 09/06/96 4 RESPONSE by Barbara Martin to [3-1] motion to dismiss,
filed. (nd) [Entry date 09/09/96]
- 09/06/96 5 ✓ SUPPLEMLENTAL MEMORANDMUM on classes of citizenship by
Barbara Martin in support of request for declaratory
judgment of citizenship, filed. (nd) [Entry date 09/09/96]
[Edit date 12/12/96]
- 09/12/96 6 ✓ SUPPLEMENT to [5-1] supplemental memorandum in support of
request for declaratory judgment of citizenship by Barbara
Martin, filed. (nd) [Entry date 09/13/96]
- 09/16/96 7 RESPONSE by USA, Office Of President, US Dept Of Treasury,
Office Of Secretary, Health & Human Serv, Social Security
Adm, IRS to [4-1] motion for default judgment against USA,
Office Of President, US Dept Of Treasury, Office Of
Secretary, Health & Human Services, Social Security Adm,
IRS, State of Texas, Office Of Governor, Texas Dept Public,
Fort Bend Co Clerk, Fort Bend County , filed. (nd)
[Entry date 09/17/96]
- 09/16/96 7 REPLY by USA, Office Of President, US Dept Of Treasury,
Office Of Secretary, Health & Human Serv, Social Security
Adm, IRS to response to [3-1] motion to dismiss , filed
(nd) [Entry date 09/17/96]
- 09/18/96 --- Letter from pltf re: correct address as 23rd Judicial
District 12906 W Bellfort Houston, Fort Bend County TX USA
(713)495-4539, Fax (713)495-0334 rec'd and forwarded to
file. (nd) [Entry date 09/19/96]
- 10/04/96 8 MOTION |to dismiss| by Office Of Governor and Texas Dept

Public Safety filed; |Motion Docket Date 10/24/96 [8-1] motion|. (nd)

- 10/04/96 9 MEMORANDUM by Office Of Governor and Texas Dept Public Safety in support of [8-1] motion to dismiss, filed (nd)
- 10/25/96 10 MOTION |to dismiss| by Fort Bend County and Fort Bend Co Clerk, |Motion Docket Date 11/14/96 [10-1] motion|, filed. (nd) [Entry date 10/28/96]
- 10/25/96 11 MEMORANDUM by Fort Bend County and Fort Bend Co Cler in support of [10-1] motion to dismiss, filed (nd) [Entry date 10/28/96]
- 11/05/96 13 RESPONSE by Barbara Martin to the Office of the Governor of the State of Texas and Texas Dept of Public Safety's [8-1] motion to dismiss , filed. (ph) [Entry date 11/08/96]
- 10/28/96 12 SECOND RESPONSE by Barbara Martin to [3-1] motion to dismiss, filed. (nd) [Entry date 11/12/96]
- 11/08/96 14 REPLY by defts IRS, Social Security Adm et al to pltf's second response to [3-1] motion to dismiss, filed (nd) [Entry date 11/12/96]
- 11/13/96 15 RESPONSE by Barbara Martin to [10-1] motion to dismiss, filed. (nd) [Entry date 11/15/96]
- 11/25/96 16 MOTION |for sanctions| by Barbara Martin, |Motion Docket Date 12/15/96 [16-1] motion| , filed. (nd) [Entry date 11/26/96]
- 11/25/96 17 RESPONSE by Barbara Martin to [10-1] motion to dismiss, filed. (nd) [Entry date 11/26/96]
- 12/05/96 18 JOINT DISCOVERY/Case Management Plan by Barbara Martin , filed. (ps) [Entry date 12/06/96]
- 12/05/96 19 RESPONSE by Barbara Martin to the Office of the Fort Bend County Clerk's Original Answer, filed. (ps) [Entry date 12/06/96]
- 12/05/96 20 MOTION and Notice |for order remanding to state court action improperly removed by Respondent, U S Attorney| by Barbara Martin, |Motion Docket Date 12/25/96 [20-1] motion| , filed. (ps) [Entry date 12/06/96]
- 12/09/96 21 NOTICE of change of counsel for IRS, Social Security Adm, Health & Human Serv, Office Of Secretary, US Dept Of Treasury, Office Of President, USA by Robert L Bernard in place of Gerald L Meyer, filed (nd) [Entry date 12/10/96]

Proceedings include all events.

4:96CV2563

Martin v. USA, et al.

CLOSED

APPEAL

- 2/10/96 22 ORDER entered |SETTING Motion Hearing at 4:00 on 12/19/96 for [20-1] motion for order remanding to state court action improperly removed by Respondent, U S Attorney, [16-1] motion for sanctions, [10-1] motion to dismiss, [8-1] motion to dismiss, [4-1] motion for default judgment against USA, Office Of President, US Dept Of Treasury, Office Of Secretary, Health & Human Services, Social Security Adm, IRS, State of Texas, Office Of Governor, Texas Dept Public, Fort Bend Co Clerk, Fort Bend County, and [3-1] motion to dismiss|; |CANCELLING 12/16/96 pretrial conference deadline|; pretrial conference will be held in conjunction with motion hearing; each party who receives notice shall send a copy to every other party and affected non party; each party shall appear by atty with knowledge of case and authority to bind client; hearing will be conducted under FR 16. Parties notified. (signed by Judge Lynn N. Hughes) (nd) [Entry date 12/11/96]
- 12/10/96 23 APPENDIX by Barbara Martin to petitioner for declaratory judgment, filed. (nd) [Entry date 12/12/96]
- 12/12/96 24 RESPONSE by IRS, Social Security Adm, Health & Human Services, Office Of Secretary, US Dept Of Treasury, Office Of President, and USA to [16-1] motion for sanctions, filed. (nd) [Entry date 12/16/96]
- 12/18/96 25 REPLY by Barbara Martin to response to [16-1] motion for sanctions, filed (nd) [Entry date 12/19/96]
- 12/18/96 26 First Amendment to [6-1] supplemental memorandum to [5-1] memorandum in support of request for declaratory judgment of citizenship by Barbara Martin, filed (nd) [Entry date 12/19/96]
- 12/19/96 27 FINAL JUDGMENT granting [3-1] motion to dismiss for failure to state a claim; denying as moot, [4-1] motion for default judgment against USA, Office Of President, US Dept Of Treasury, Office Of Secretary, Health & Human Services, Social Security Adm, IRS, State of Texas, Office Of Governor, Texas Dept Public, Fort Bend Co Clerk, Fort Bend County; denying as moot, [16-1] motion for sanctions; denying as moot, [20-1] motion for order remanding to state court action improperly removed by Respondent, U S Attorney , entered. Parties ntfed. (signed by Judge Lynn N. Hughes) (fs) [Entry date 12/23/96]
- 12/19/96 --- Case closed (fs) [Entry date 12/23/96]
- 12/19/96 28 Minute entry filed following hearing before Judge Lynn Hughes; Appearances: Barbara Martin f/pltf; Gerald Meyer f/deft; Ct Reporter: Anne Traylor; order to be entered; dismissed for failure to state cause of action. (nd)