

General Docket
Court of Appeals, 2nd Circuit

Court of Appeals Docket #: 11-3597
Nature of Suit: 2890 STATUTES-Other
Cunningham v. United States Marshals Service
Appeal From: SDNY (NEW YORK CITY)
Fee Status: Paid

Docketed: 09/02/2011
Termed: 01/13/2012

Case Type Information:

- 1) Civil
- 2) United States
- 3) -

Originating Court Information:

District: 0208-1 : 05-cv-10169
Trial Judge: Deborah A. Batts, U.S. District Judge
Trial Judge: Kevin N. Fox, U.S. Magistrate Judge
Date Filed: 12/02/2005
Date Order/Judgment: 08/11/2011

Date NOA Filed:
08/17/2011

Prior Cases:

07-4006 **Date Filed:** 09/18/2007 **Date Disposed:** 04/16/2009 **Disposition:** FRAP
procedural without judici

10-378 **Date Filed:** 01/29/2010 **Date Disposed:** 06/28/2010 **Disposition:** Order on mot/pet
signed by Jud

10-379 **Date Filed:** 01/29/2010 **Date Disposed:** 06/28/2010 **Disposition:** Order on mot/pet
signed by Jud

Current Cases:

None

Panel Assignment: Not available

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Timothy J. O'Callaghan
Defendant

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Defendant - Appellee

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Benjamin Cunningham,
Plaintiff - Appellant,
















v.

John Does, #1-#12, Thomas Ballard, DUSM, Mary Halpin, NYPD Detective, Sean McCluskey,
DUSM, Manny Puri, DUSM, Nicholas Ricigliano, DUSM, Jerry Sanseverino, DUSM,

Defendants - Appellees,






United States Marshals Service, Timothy J. O'Callaghan,

Defendants.

09/02/2011		<u>1</u>	NOTICE OF CIVIL APPEAL, with district court docket, on behalf of Appellant Benjamin Cunningham, FILED. [385899] [11-3597]
	15 pg, 1.41 MB		
09/02/2011		<u>2</u>	DISTRICT COURT ORDER, dated 08/08/2011, RECEIVED.[385905] [11-3597]
	11 pg, 404.58 KB		
09/02/2011		<u>3</u>	DISTRICT COURT JUDGMENT, dated 08/11/2011, RECEIVED. [385909] [11-3597]
	2 pg, 31.19 KB		
09/02/2011		<u>6</u>	DISTRICT COURT RECORD ON APPEAL, FILED.[385913] [11-3597]
	1 pg, 39.44 KB		
09/02/2011		<u>7</u>	ELECTRONIC INDEX, in lieu of record, FILED.[385930] [11-3597]
	10 pg, 1.2 MB		
09/02/2011		<u>10</u>	MOTION, to proceed in forma pauperis, on behalf of Appellant Benjamin Cunningham, FILED. Service date 09/15/2011 by CM/ECF. [391479] [11-3597]
	3 pg, 143.64 KB		
09/08/2011		<u>5</u>	INSTRUCTIONAL FORMS, to Pro Se litigant, SENT.[385912] [11-3597]
	2 pg, 37.11 KB		
09/08/2011		<u>8</u>	ORDER, dated 09/08/2011, dismissing appeal by 09/29/2011, unless appellant Benjamin Cunningham, submits fee or moves for in forma pauperis, copy to pro se appellant, FILED.[385935] [11-3597]
	2 pg, 53.06 KB		
09/14/2011		<u>18</u>	ACKNOWLEDGMENT AND NOTICE OF APPEARANCE FORM, on behalf of Party Benjamin Cunningham, FILED. Service date 09/20/2011 by CM/ECF.[395155] [11-3597]
	2 pg, 75.78 KB		
09/14/2011		<u>19</u>	FORM D-P, on behalf of Appellant Benjamin Cunningham, FILED. Service date 09/20/2011 by CM/ECF.[395159] [11-3597]
	1 pg, 58.1 KB		
09/16/2011		<u>11</u>	NOTICE OF APPEARANCE AS ADDITIONAL COUNSEL, on behalf of Appellee Thomas Ballard, Mary Halpin, Sean McCluskey, Manny Puri, Nicholas Ricigliano and Jerry Sanseverino, FILED. Service date 09/16/2011 by CM/ECF. [393442] [11-3597]
	1 pg, 68.99 KB		
09/19/2011		<u>12</u>	ATTORNEY, David Vincent Bober for Nicholas Ricigliano Sean McCluskey Manny Puri Jerry Sanseverino Thomas Ballard Mary Halpin, in case 11-3597 , [11], ADDED.[394628] [11-3597]
09/19/2011		<u>14</u>	ORDER, dated 09/19/2011, dismissing appeal by 10/10/2011, unless appellant Benjamin Cunningham, submits form D-P, copy to pro se appellant, FILED.[394650] [11-3597]
	2 pg, 39.82 KB		
09/19/2011		<u>16</u>	ACKNOWLEDGMENT AND NOTICE OF APPEARANCE, on behalf of Appellee Thomas Ballard, John Does, Mary Halpin, Sean McCluskey, Manny Puri, Nicholas Ricigliano and Jerry Sanseverino, FILED. Service date 09/19/2011 by CM/ECF, US mail.[394848] [11-3597]
	1 pg, 130.76 KB		
10/11/2011		<u>23</u>	SCHEDULING NOTIFICATION, on behalf of Appellant Benjamin Cunningham, informing Court of proposed due date 01/30/2012,
	2 pg, 72.66 KB		

RECEIVED. Service date 10/11/2011 by hand delivery.[414261] [11-3597]

01/10/2012	<input type="checkbox"/>	<u>29</u> 3 pg, 1.24 MB	NOTICE OF APPEARANCE AS SUBSTITUTE COUNSEL, on behalf of Appellant Benjamin Cunningham, FILED. Service date 01/10/2012 by CM/ECF. [493956] [11-3597]
01/11/2012	<input type="checkbox"/>	<u>31</u>	ATTORNEY, Daniel A. Eigerman for Benjamin Cunningham, in case 11-3597 , [29], ADDED.[494393] [11-3597]
01/11/2012	<input type="checkbox"/>	<u>33</u>	PAYMENT OF DOCKETING FEE, on behalf of Appellant Benjamin Cunningham, district court receipt # 465401026466, FILED.[494402] [11-3597]
01/13/2012	<input type="checkbox"/>	<u>38</u> 1 pg, 18.22 KB	MOTION ORDER, denying as moot motion to proceed in forma pauperis [10] filed by Appellant Benjamin Cunningham, by RKW, PWH, DC, FILED. [497315][38] [11-3597]
01/13/2012	<input type="checkbox"/>	<u>39</u> 1 pg, 18.22 KB	APPEAL, pursuant to court order, dated 01/13/2012, DISMISSED. [497328] [11-3597]
01/13/2012	<input type="checkbox"/>	<u>40</u> 1 pg, 37.68 KB	NEW CASE MANAGER, Anna Greenidge, ASSIGNED.[497334] [11-3597]
01/27/2012	<input type="checkbox"/>	<u>41</u>	MOTION, to reconsider, on behalf of Appellant Benjamin Cunningham, FILED. Service date 01/27/2012 by CM/ECF. [509550] [11-3597]
01/27/2012	<input type="checkbox"/>	<u>42</u> 2 pg, 65.92 KB	DEFECTIVE DOCUMENT, MOTION, to reconsider, [41], on behalf of Appellant Benjamin Cunningham, FILED.[509829] [11-3597]
01/27/2012	<input type="checkbox"/>	<u>43</u> 55 pg, 3.45 MB	MOTION, to reconsider, on behalf of Appellant Benjamin Cunningham, FILED. Service date 01/27/2012 by CM/ECF. [510386] [11-3597]
01/27/2012	<input type="checkbox"/>	<u>44</u>	CURED DEFECTIVE MOTION, to reconsider [43], on behalf of Appellant Benjamin Cunningham, FILED.[510568] [11-3597]
01/30/2012	<input type="checkbox"/>	<u>46</u> 12 pg, 454.96 KB	SUPPLEMENTARY PAPERS TO MOTION [43], on behalf of Appellant Benjamin Cunningham, FILED. Service date 01/27/2012 by fax.[512264][46] [11-3597]
02/02/2012	<input type="checkbox"/>	<u>51</u> 1 pg, 38.32 KB	MOTION ORDER, denying motion to reconsider [43] filed by Appellant Benjamin Cunningham, by RKW, PWH, DC, FILED. [516278][51] [11-3597]
02/14/2012	<input type="checkbox"/>	<u>52</u> 1 pg, 273.49 KB	CERTIFIED COPY OF ORDER, dated 01/13/2012, disposing of the appeal to SDNY, ISSUED.[Mandate][524612] [11-3597]
03/08/2012	<input type="checkbox"/>	<u>53</u>	DISTRICT COURT ROA RETURNED.[547177] [11-3597] (2 vols.) 500 pearl st.
05/09/2012	<input type="checkbox"/>	<u>54</u> 1 pg, 41.79 KB	U.S. SUPREME COURT NOTICE of writ of certiorari filing, dated 05/04/2012, U.S. Supreme Court docket # 11-1328, RECEIVED. [603744] [11-3597]
10/02/2012	<input type="checkbox"/>	<u>55</u> 1 pg, 61.21 KB	U.S. SUPREME COURT NOTICE, dated 10/01/2012, U.S. Supreme Court docket # 11-1328, stating the petition for writ of certiorari is

			denied, RECEIVED.[736376] [11-3597]
11/19/2012		<u>56</u>	U.S. SUPREME COURT NOTICE, dated 11/13/2012, U.S. Supreme Court docket # 11-1328, stating the petition for writ of certiorari is denied, RECEIVED.[772513] [11-3597]
		1 pg, 61.05 KB	
03/05/2013		<u>57</u>	PAPERS, dated 03/05/2013, motion seeking reargument, on behalf of Appellant Benjamin Cunningham, RECEIVED.[866298] [11-3597]
		61 pg, 2.73 MB	
03/06/2013		<u>58</u>	PAPERS, dated 03/05/2013, motion seeking reargument, received in a closed case, RETURNED.[866303] [11-3597]
		1 pg, 39.03 KB	
03/06/2013		<u>60</u>	PAPERS, dated 03/05/2013, pro se motion for reargument with exhibits, on behalf of Benjamin Cunningham, RECEIVED.[871200] [11-3597]
		64 pg, 2.84 MB	
03/11/2013		<u>61</u>	PRO SE DOCUMENTS, to attorney Daniel A. Eigerman, SENT. [871207] [11-3597]
		65 pg, 2.87 MB	

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- Documents and Docket Report**
 - Documents and Docket Summary**
 - Documents Only**

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Selected Pages: 0 Selected Size: 0 KB