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7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**
9 **SAN FRANCISCO DIVISION**

10 VICTORIA LAW,
11
12 PLAINTIFF,
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14 vs.
15
16 FEDERAL BUREAU OF PRISONS,
17
18 DEFENDANT.

CASE NO.: 4:24-CV-06628-YGR

**[PROPOSED] ORDER TO SHOW CAUSE AS
TO WHY BOP SHOULD NOT BE HELD IN
CONTEMPT**

HON. ALEX G. TSE

19 THIS MATTER comes before the Court on Plaintiff Law’s Motion requesting that the Court
20 issue an Order to Show Cause as to why the Defendant should not be held in contempt, and
21 Memorandum of Points and Authorities in Support Thereof. The Court, having reviewed the pleadings
22 and attachments, the parties' Memorandums, GRANTS Plaintiff’s Motion.

23 The Court issued an order on May 30, 2025, requiring the Federal Bureau of Prisons to review at
24 least one thousand pages per month, release all responsive records to Plaintiff on the last day of each
25 month, and provide timely notice if it identified no responsive records. The record reflects that the
26 Bureau of Prisons did not produce the required September 2025 or October 2025 releases and did not
27 provide the required notifications. Plaintiff subsequently filed Notices of Supplemental Evidence
28 documenting these failures.

The record demonstrates clear and convincing evidence that BOP violated this court clear and unambiguous May 30, 2025, Order (*Dkt.* No. 42) and did not take all reasonable steps to comply.

1 Based on the filings before the Court and good cause appearing, IT IS HEREBY ORDERED:

- 2 1. The Bureau of Prisons shall show cause in writing, no later than _____, why it should
3 not be held in civil contempt for failing to comply with the Court’s May 30, 2025 Order.
- 4 2. The written response shall:
- 5 a. Explain in a declaration the Federal Bureau of Prisons’ failure to produce the
6 September and October 2025 releases.
 - 7 b. Identify all steps taken to comply with the Order, describe in detail the types and
8 numbers of files, records, and pages reviewed during the reporting period, specify the
9 types of records and number of pages outstanding, and set out the steps that remain
10 for full compliance.
 - 11 c. State when the missing productions will be completed.
 - 12 d. State the plan for compliance moving forward.
- 13 3. Beginning immediately upon the filing of the written response, the Federal Bureau of Prisons
14 shall submit periodic compliance reports every two weeks, each supported by a sworn
15 declaration detailing its progress in processing Plaintiff’s FOIA request, including the type
16 and number of records and pages reviewed in the period, the number outstanding, and the
17 specific actions taken toward compliance. Any incomplete, late, or duplicative submission
18 shall not be deemed compliant with this Order.
- 19 4. Plaintiff may file a reply no later than _____.
- 20 5. The Court will hold a hearing on this Order to Show Cause on _____ at _____.
- 21 6. A responsible official with authority over FOIA processing for the Federal Bureau of Prisons
22 shall appear and provide sworn testimony supporting the agency’s most recent compliance
23 declaration. Monthly compliance hearings will continue thereafter, at dates set by the Court,
24 until the agency has fully complied with the Court’s Order.
- 25 7. Plaintiff is entitled to attorney’s fees.

26 IT IS SO ORDERED.

27 Dated: _____

28 _____

Hon. Alex G. Tse
United States Magistrate Judge

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