

No. \_\_\_\_\_

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**In the Supreme Court of the United States**

ANTHONY ROLAND,

Petitioner,

v.

UNITED STATES DEPARTMENT OF  
JUSTICE,

Respondent.

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ON PETITION FOR A WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE SEVENTH CIRCUIT

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**APPENDIX TO THE  
PETITION FOR A WRIT OF CERTIORARI**

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ANTHONY ROLAND  
a.k.a (QUOCK WALKER)  
**PETITIONER PRO SE**  
5642 S Wells St.  
Chicago, IL. 60621,  
(312) 292-8142

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## APPENDIX

### TABLE OF CONTENTS

	Page
Appendix A – Court of appeals opinion (Nov. 29, 2023).....	1a
Appendix B – District court order (Mar. 15, 2023).....	4a
Appendix C – Court of appeals opinion (Feb. 09, 2024).....	6a
Appendix D – Initial Status Report.....	7a
Appendix E – Transcript.....	11a
Appendix F – Memorandum Opinion and Order.....	19a
Appendix G – Meet and Confer e-mail.....	24a
Appendix H – Admit Evidence and Motion for Evidentiary Hearing.....	25a
Appendix I – State and Federal Concluding Complaint.....	32a
Appendix J – Office of Information Policy Appeal to NSD.....	36a
Appendix K – Material Facts.....	37a
Appendix L – Digital Exhibit.....	42a
Appendix M – Petition for 1806(f) and Motion for 50 U.S.C. § 1806(f).....	43a

**NONPRECEDENTIAL DISPOSITION**

To be cited only in accordance with FED. R. APP. P. 32.1

**United States Court of Appeals****For the Seventh Circuit****Chicago, Illinois 60604**

Submitted November 28, 2023\*

Decided November 29, 2023

*Before*MICHAEL Y. SCUDDER, *Circuit Judge*AMY J. ST. EVE, *Circuit Judge*DORIS L. PRYOR, *Circuit Judge*

No. 23-1620

ANTHONY ROLAND,  
*Plaintiff-Appellant,**v.*UNITED STATES DEPARTMENT OF  
JUSTICE,  
*Defendant-Appellee.*Appeal from the United States District  
Court for the Northern District of  
Illinois, Eastern Division.

No. 1:22-cv-01066

Martha M. Pacold,  
*Judge.***ORDER**

Believing that the government was spying on him through his television, Anthony Roland sent requests under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, to federal agencies for documents about that spying. He targeted two divisions of the Department of Justice: the FBI and the National Security Division. The Department told Roland that a search had not identified any records responsive to his request and

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\* We have agreed to decide the case without oral argument because the appeal is frivolous. FED. R. APP. P. 34(a)(2)(A).

No. 23-1620

Page 2

that records, if they existed, were exempt from disclosure. *See* 5 U.S.C. § 552(b)(1). The Department also told Roland of his right to file, and how to file, an administrative appeal. The Department's internal records show that he did not file one.

Instead, he sued the Department under FOIA for failing to disclose records. During the short-lived suit, he unsuccessfully moved for the court to recruit counsel, and the Department successfully moved for a protective order staying discovery. Later, the court granted the Department's motion for summary judgment. It reasoned that Roland's claim that the Department had documents about spying on him through his television were implausible, and he had not exhausted his administrative remedies.

On appeal, Roland raises three baseless attacks on the judgment. First, he argues that summary judgment was improper because, he says, he did not receive the required notice, *see* FED. R. CIV. P. 56(f), of the Department's motion. True, the Department did not file a certificate of service, *see* N.D. ILL. R. 56.2, but Roland told the court that he was using its electronic filing system, so the certificate was not required, *see* N.D. ILL. R. 5.9. And because he cannot show prejudice—he acknowledged receiving the motion, requested more time to respond to it, and received more time than he requested—relief is not warranted. *See Kincaid v. Vail*, 969 F.2d 594, 599 (7th Cir. 1992). Second, Roland contends that he exhausted administrative remedies. But he points only to the letters instructing him how to appeal administratively. They do not suggest that he followed through on the appeal, as he had to do. *See Scherer v. Balkema*, 840 F.2d 437, 443 (7th Cir. 1988) (affirming dismissal where appellant failed to exhaust remedies under FOIA). Third, he argues that the court wrongly ruled that his claim about spying over television was implausible. We review that ruling for abuse of discretion, *see Felton v. City of Chicago*, 827 F.3d 632 (7th Cir. 2016), and the court did not abuse its discretion here: Roland relies on video recordings of television news personalities who he insists unrealistically were responding to hand gestures that he made in front of his television.

Roland also contests two procedural rulings. He argues that the district court abused its discretion by denying his motion for counsel. But as a civil litigant, he had no right to counsel, *see Lush v. Bd. of Trs. of N. Ill. Univ.*, 29 F.4th 377, 380 (7th Cir. 2022), and nothing here warranted a favorable exercise of discretion. He also attacks the order staying discovery. But “entertain[ing] summary-judgment motions before discovery” fell within the court's “considerable discretion[,]” especially because Roland did not need discovery to contest the evidence that he failed to exhaust administrative remedies. *Henson v. Dep't of Health & Hum. Servs.*, 892 F.3d 868, 874 (7th Cir. 2018).

No. 23-1620

Page 3

**AFFIRMED**

**UNITED STATES DISTRICT COURT  
FOR THE Northern District of Illinois – CM/ECF NextGen 1.6.3  
Eastern Division**

Anthony Roland

Plaintiff,

v.

Case No.: 1:22-cv-01066

Honorable Martha M. Pacold

U.S. Department of Justice

Defendant.

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**NOTIFICATION OF DOCKET ENTRY**

This docket entry was made by the Clerk on Wednesday, March 15, 2023:

MINUTE entry before the Honorable Martha M. Pacold: The court has reviewed the pending motions in this case, [51], [60], [61], and [66], and the associated filings. The defendants' motion for summary judgment [51] is granted. All other pending motions are denied as moot. Like two other courts in this district considering similar cases filed by Mr. Roland, the court concludes that the allegations in this case (see [60], [61], [64], [65], and [74]) are fantastical, unsupported, and do not state a plausible claim to relief. See *Roland v. Fed. Gov't*, No. 18-cv-5363 (N.D. Ill. Aug. 28, 2018), Dkt. 11; *Roland v. Pai*, No. 19-cv-3128 (N.D. Ill. June 11, 2019), Dkt. 10. Further, this is a FOIA case and Roland failed to exhaust administrative remedies, a filing prerequisite in FOIA cases. *Larson v. Hoening*, No. 18-cv-2752, 2018 WL 9989471, at \*3 (N.D. Ill. July 10, 2018) (collecting cases). So even viewing the record in the light most favorable to Mr. Roland and drawing reasonable inferences in his favor, the defendants are entitled to judgment as a matter of law. For those reasons, the summary judgment motion [51] is granted and the other pending motions [60], [61], and [66] are denied as moot. Enter final judgment. Civil case terminated. (rao, )

**ATTENTION:** This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

For scheduled events, motion practices, recent opinions and other information, visit our web site at [www.ilnd.uscourts.gov](http://www.ilnd.uscourts.gov).

IN THE UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF ILLINOIS

Anthony Roland,

Plaintiff(s),

v.

U.S. Department of Justice,

Defendant(s).

Case No. 22-cv-1066

Judge Martha M. Pacold

**JUDGMENT IN A CIVIL CASE**

Judgment is hereby entered (check appropriate box):

☐ in favor of plaintiff(s)  
and against defendant(s)  
in the amount of \$ ,

which ☐ includes pre-judgment interest.  
☐ does not include pre-judgment interest.

Post-judgment interest accrues on that amount at the rate provided by law from the date of this judgment.

Plaintiff(s) shall recover costs from defendant(s).

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☐ in favor of defendant(s)  
and against plaintiff(s)

Defendant(s) shall recover costs from plaintiff(s).

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☒ other: Judgment is entered in favor of defendant U.S. Department of Justice and against plaintiff Anthony Roland.

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This action was (check one):

☐ tried by a jury with Judge \_\_\_\_\_ presiding, and the jury has rendered a verdict.  
☐ tried by Judge \_\_\_\_\_ without a jury and the above decision was reached.  
☒ decided by Judge Martha M. Pacold on a motion for summary judgment.

Date: 3/15/2023

Thomas G. Bruton, Clerk of Court

/s/ Ruth O'Shea, Deputy Clerk

# United States Court of Appeals

For the Seventh Circuit

Chicago, Illinois 60604

February 9, 2024

Before

MICHAEL Y. SCUDDER, *Circuit Judge*

AMY J. ST. EVE, *Circuit Judge*

DORIS L. PRYOR, *Circuit Judge*

No. 23-1620

ANTHONY ROLAND  
*Plaintiff-Appellant,*

*v.*

UNITED STATES DEPARTMENT OF  
JUSTICE,  
*Defendant-Appellee.*

Appeal from the United States District  
Court for the Northern District of  
Illinois, Eastern Division.

No. 1:22-cv-01066

Martha M. Pacold,  
*Judge.*

## ORDER

On consideration of plaintiff Anthony Roland's petition for rehearing and rehearing en banc\*, filed January 16, 2024, all judges on the original panel have voted to deny rehearing, and no judge in active service has requested a vote on the petition for rehearing en banc.

Accordingly, the petition for rehearing and rehearing en banc is DENIED.

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\*Circuit Judge Joshua P. Kolar did not participate in the consideration of this petition.



**Additional material  
from this filing is  
available in the  
Clerk's Office.**