

***** PUBLIC DOCKET *****

**U.S. District Court
Southern District of Indiana (Indianapolis)
CIVIL DOCKET FOR CASE #: 1:23-cv-02187-RLY-MG**

ADAMS v. TYLER et al
Assigned to: District Judge Richard L Young
Referred to: Magistrate Judge Mario Garcia
Demand: \$150,000
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 12/06/2023
Jury Demand: Both
Nature of Suit: 555 Prisoner Petitions -
Prison Condition
Jurisdiction: Federal Question

Plaintiff**DEMARKUS ADAMS**

represented by **DEMARKUS ADAMS**
230061
PENDLETON - CF
PENDLETON CORRECTIONAL
FACILITY
Inmate Mail/Parcels
4490 West Reformatory Road
PENDLETON, IN 46064
PRO SE

V.

Defendant**CHADD TYLER**

represented by **Eric Ryan Shouse**
Lewis And Wilkins LLP
8777 Purdue Rd
Suite 104
Indianapolis, IN 46268
317-636-7460
Email: shouse@lewisandwilkins.com
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/06/2023	<u>1</u>	COMPLAINT against C. QUARRIER, D. REAGLE, CHADD TYLER, filed by DEMARKUS ADAMS. (No fee paid with this filing) (Attachments: # <u>1</u> Exhibit)(CCG) (Entered: 12/06/2023)
12/06/2023	<u>2</u>	MOTION for Leave to Proceed in forma pauperis, filed by Plaintiff DEMARKUS ADAMS. (Attachments: # <u>1</u> Exhibit)(CCG) (Entered: 12/06/2023)
12/06/2023	<u>3</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (CCG) (Entered: 12/06/2023)
12/06/2023	<u>4</u>	Notice to File Rule 7.1 Disclosure Statement. (RAGS) (CCG) (Entered: 12/06/2023)
12/13/2023	<u>5</u>	NOTICE to Pro se Litigant - The following information is provided to pro se litigants to inform them about rules and procedures governing how they communicate with the Court.

		Copy to plaintiff by U.S. Mail. (MEH) (Entered: 12/13/2023)
12/29/2023	6	ORDER granting 2 Motion for Leave to Proceed in forma pauperis: Plaintiff Demarkus Adams's motion for leave to proceed in forma pauperis, dkt. 2 , is granted. The assessment of an initial partial filing fee is waived. Mr. Adams remains responsible for paying the full \$350 filing fee when he is able. See Order. Signed by District Judge Richard L Young on 12/29/2023. Copy sent to Plaintiff via US Mail. (LF) (Entered: 12/29/2023)
02/02/2024	7	CONSENT to Jurisdiction to US Magistrate Judge by DEMARKUS ADAMS. (LF) (Entered: 02/02/2024)
04/01/2024	8	Order Screening Complaint and Directing Further Proceedings - Because the plaintiff is a "prisoner," this court has an obligation to screen the complaint before service on the defendants. This summary of claims includes all the viable claims identified by the court. All other claims have been dismissed. If the plaintiff believes that additional claims were alleged in the complaint, but not identified by the court, he shall have through April 17, 2024, in which to identify those claims. The clerk is directed to terminate C. Quarrier and Warden D. Reagle as defendants on the docket. The clerk is directed pursuant to Fed. R. Civ. P. 4(c)(3) to issue process to defendant Officer Chadd Tyler in the manner specified by Rule 4(d). Process shall consist of the complaint, dkt 1 , applicable forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), and this Order. The clerk is directed to serve the Indiana Department of Correction employees electronically. (See Order.) Signed by District Judge Richard L. Young on 4/1/2024. Copy to Plaintiff via US mail. (JSR) (Entered: 04/01/2024)
04/01/2024	9	NOTICE of Lawsuit & Waiver Issued by Clerk upon: 1) Officer Chadd Tyler. (JSR) (Entered: 04/01/2024)
04/01/2024	10	Documents to be Sent via Electronic Notice - re 1 Complaint, 9 NOTICE of Lawsuit & Waiver Issued by Clerk, 8 Order. Electronic Notice to IDOC. (JSR) (Entered: 04/01/2024)
04/16/2024	11	NOTICE of Appearance by Jonathan Freije on behalf of Defendant CHADD TYLER. (Freije, Jonathan) (Entered: 04/16/2024)
04/16/2024	12	WAIVER OF SERVICE Returned Executed, filed by CHADD TYLER. CHADD TYLER waiver sent on 4/1/2024. (Freije, Jonathan) (Entered: 04/16/2024)
04/16/2024	13	NOTICE of Appearance by Stephanie Michelle Davis on behalf of Defendant CHADD TYLER. (Davis, Stephanie) (Entered: 04/16/2024)
05/24/2024	14	MOTION for Third Party Request for Documents, filed by Plaintiff DEMARKUS ADAMS. (DWH) (Entered: 05/24/2024)
05/29/2024	15	<i>Defendant's</i> ANSWER to 1 Complaint <i>AFFIRMATIVE DEFENSES, AND JURY DEMAND</i> , filed by CHADD TYLER.(Freije, Jonathan) (Entered: 05/29/2024)
05/29/2024	16	MOTION for Case Management Scheduling Order, filed by Plaintiff DEMARKUS ADAMS. (LF) (Entered: 05/30/2024)
05/30/2024	17	ORDER SETTING PRETRIAL SCHEDULE AND DISCUSSING DISCOVERY IN PRISONER LITIGATION: This Order sets the schedule for how this action shall proceed. Part I sets forth the pretrial deadlines. Part II discusses various aspects of discovery. Facilitating the discovery process can be difficult, and this Order is issued in an effort to help explain and streamline the process for the parties. The parties should carefully read this Order. *SEE ORDER FOR ADDITIONAL INFORMATION*. Dispositive Motions due by 12/30/2024. Discovery due by 12/2/2024.. Signed by Magistrate Judge Mario Garcia on 5/30/2024.(Copy mailed to Plaintiff).(LF) Modified on 5/31/2024 (LF). (Entered: 05/31/2024)

06/04/2024	18	ORDER - Plaintiff's motion asking the Court to issue a scheduling order, dkt. [16], is denied as moot. The Court has already issued a scheduling order. See dkt. 17 . Copy to Plaintiff via US Mail. Signed by Magistrate Judge Mario Garcia on 6/4/2024. (SWM) (Entered: 06/04/2024)
06/04/2024	19	ORDER - Plaintiff's motion requesting a subpoena so that he can request documents from a non-party, dkt. [14], is granted to the extent that the clerk is directed to enclose one endorsed, but otherwise blank, subpoena for documents with Plaintiff's copy of this Order. Copies to Plaintiff via US Mail. Signed by Magistrate Judge Mario Garcia on 6/4/2024. (SWM) (Entered: 06/04/2024)
06/14/2024	20	MOTION on Non-Party Subpoena Duces Tecum Motion to Produce Discovery Evidence, filed by Plaintiff DEMARKUS ADAMS. (AJG) (Entered: 06/17/2024)
06/17/2024	21	MOTION for Initial Disclosures, filed by Plaintiff DEMARKUS ADAMS. (AJG) (Entered: 06/17/2024)
07/29/2024	22	NOTICE of Service of Initial Disclosures , filed by Defendant CHADD TYLER. (Freije, Jonathan) (Entered: 07/29/2024)
08/07/2024	23	NOTICE of Discovery Compliance, filed by Plaintiff DEMARKUS ADAMS (Attachments: # 1 Exhibit) (JRB) (Entered: 08/07/2024)
08/14/2024	24	MOTION for Leave to File Motion to Compel, filed by Plaintiff DEMARKUS ADAMS. (Attachments: # 1 Exhibits)(JRB) (Entered: 08/14/2024)
08/28/2024	25	RESPONSE in Opposition re 24 MOTION for Leave to File , filed by Defendant CHADD TYLER. (Freije, Jonathan) (Entered: 08/28/2024)
09/18/2024	26	REPLY to 25 Response to 24 MOTION for Leave to File, filed by Plaintiff DEMARKUS ADAMS. (JRB) (Entered: 09/19/2024)
09/26/2024	27	NOTICE of Defendant's Supplement to Initial Disclosures (with Video), filed by Defendant CHADD TYLER (Freije, Jonathan) (Entered: 09/26/2024)
10/17/2024	28	ORDER - On June 4, 2024, the Court sent Plaintiff a subpoena that he could use to request documents from a non-party. Dkt. 19 . On June 14, 2024, he filed a "Motion on Non-Party Subpoena Duces Tecum Motion to Produce Discovery/Evidence." Dkt. 20 . In the motion, he asks a non-party--Pendleton Correctional Facility--to produce certain documents. Id. The motion is not accompanied by a copy of an endorsed subpoena from the clerk. It is not clear if the motion requests relief from the Court, but to the extent it does, the motion, dkt. 20 , is denied. Plaintiff's "Belated Motion for Initial Disclosures," dkt. 21 , is denied as unnecessary because it does not seek any relief from the Court and appears to constitute Plaintiff's initial disclosures, which were to be served directly on Defendant's counsel and not filed with the Court. Plaintiff's "Belated Motion for Leave to File His Motion to Compel Discovery from Defendants, dkt. 24 , is denied as moot. Signed by Magistrate Judge Mario Garcia on 10/17/2024. (See Order.) Copy mailed to Plaintiff. (BAA) (Entered: 10/18/2024)
10/30/2024	29	NOTICE REGARDING SETTLEMENT CONFERENCE, filed by Defendant CHADD TYLER (Freije, Jonathan) (Entered: 10/30/2024)
12/02/2024	30	MOTION for Extension of Time to of 45 days <i>TO EXTEND THE CLOSE OF DISCOVERY AND DISPOSITIVE MOTION DEADLINES</i> , filed by Defendant CHADD TYLER. (Attachments: # 1 Text of Proposed Order)(Freije, Jonathan) (Entered: 12/02/2024)
12/13/2024	32	ORDER - Defendant's motion to extend the discovery and summary judgment deadlines, dkt. 30 , is supported by good cause and granted to that deadline for completing discovery

		is extended up to and including January 16, 2025, and the deadlines for filing summary judgment motions and preliminary witness lists are extended up to and including February 13, 2025. Copy sent to Plaintiff via US Mail. Signed by Magistrate Judge Mario Garcia on 12/13/2024.(JRB) (Entered: 12/16/2024)
12/16/2024	31	MOTION to Take Deposition from Demarkus Adams , filed by Defendant CHADD TYLER. (Attachments: # 1 Text of Proposed Order)(Freije, Jonathan) (Entered: 12/16/2024)
12/18/2024	33	ORDER granting 31 Motion to Take Deposition from Demarkus Adams, DOC #230061 - IT IS HEREBY ORDERED that Defendant is granted leave to depose Plaintiff, Demarkus Adams, DOC #230061 ("Plaintiff"), an inmate held in the custody of the Indiana Department of Correction at Pendleton Correctional Facility, prior to the close of discovery, until such time as the deposition is concluded by remote means outside the physical presence of the officer of the court/court reporter for the purposes of swearing in, if necessary, and subject to making reasonable accommodations within Pendleton Correctional Facility. Signed by Magistrate Judge Mario Garcia on 12/18/2024. Copy to Plaintiff via US Mail. (AAS) (Entered: 12/19/2024)
12/30/2024	34	Witness List (<i>DEFENDANTS PRELIMINARY WITNESS LIST</i>), filed by Defendant CHADD TYLER. (Freije, Jonathan) (Entered: 12/30/2024)
01/10/2025	35	MOTION for Extension of Time for Plaintiff to be Deposed, filed by Plaintiff DEMARKUS ADAMS. (LBT) (Entered: 01/14/2025)
02/07/2025	36	ORDER granting 35 Motion for Extension of Time: The Court finds good cause to GRANT Plaintiff's Motion, 35 . The Discovery Deadline is extended to March 7, 2025, and the Dispositive Motion Deadline, shall be briefly extended to April 7, 2025. Within five days of Plaintiff's deposition, Defendant shall notify the Court that Plaintiff's deposition has been taken. See Order. Signed by Magistrate Judge Mario Garcia on 2/7/2025.(Copy to Plaintiff via US Mail.) (LF) (Entered: 02/07/2025)
02/13/2025	37	NOTICE to Take Deposition of Demarkus Adams, filed by Defendant CHADD TYLER. (Freije, Jonathan) (Entered: 02/13/2025)
02/20/2025	38	NOTICE OF DEPOSITION TAKEN ON FEBRUARY 20, 2025, filed by Defendant CHADD TYLER (Freije, Jonathan) (Entered: 02/20/2025)
02/21/2025	39	MOTION for Extension of Time to May 22, 2025 <i>TO EXTEND THE DISPOSITIVE MOTION DEADLINE</i> , filed by Defendant CHADD TYLER. (Attachments: # 1 Text of Proposed Order)(Freije, Jonathan) (Entered: 02/21/2025)
02/21/2025	40	NOTICE of Appearance by Eric Ryan Shouse on behalf of Defendant CHADD TYLER. (Shouse, Eric) (Entered: 02/21/2025)
02/24/2025	41	RESPONSE to Defendant's First Set of Requests for Admission, filed by Plaintiff DEMARKUS ADAMS.(JRB) (Entered: 02/24/2025)
02/24/2025	42	RESPONSE to Defendant's First Set of Interrogatories, filed by Plaintiff DEMARKUS ADAMS.(JRB) (Entered: 02/24/2025)
02/24/2025	43	Second REQUEST for Production of Documents, filed by Plaintiff DEMARKUS ADAMS.(JRB) (Entered: 02/24/2025)
02/25/2025	44	MOTION to Withdraw Attorney Appearance of Jonathan M. Freije and Stephanie M. Davis, filed by Defendant CHADD TYLER. (Attachments: # 1 Text of Proposed Order) (Davis, Stephanie) (Entered: 02/25/2025)

03/10/2025	45	ORDER granting 39 Motion for Extension of Time to File: IT IS THEREFORE ORDERED, ADJUDGED. AND DECREED that Defendant is GRANTED an extension of time up to and including May 22, 2025, to file a dispositive motion. See Order. Signed by Magistrate Judge Mario Garcia on 3/10/2025.(Copy to Plaintiff via US Mail.) (LF) (Entered: 03/10/2025)
03/10/2025	46	ORDER granting 44 Motion to Withdraw Attorney Appearance. Attorney Stephanie Michelle Davis and Jonathan Freije withdrawn. See Order. Signed by Magistrate Judge Mario Garcia on 3/10/2025.(Copy to Plaintiff via US Mail.) (LF) (Entered: 03/10/2025)
04/09/2025	47	MOTION to Appoint Counsel, filed by Plaintiff DEMARKUS ADAMS. (JRB) (Entered: 04/09/2025)
05/22/2025	48	NOTICE of Appearance by Jordan Douglas Hall on behalf of Defendant CHADD TYLER. (Hall, Jordan) (Entered: 05/22/2025)
05/22/2025	49	MOTION for Summary Judgment , filed by Defendant CHADD TYLER. (Hall, Jordan) (Entered: 05/22/2025)
05/22/2025	50	Designation of Evidence re 49 MOTION for Summary Judgment , filed by Defendant CHADD TYLER. (Attachments: # 1 Exhibit A- Affidavit of Chadd Tyler, # 2 Exhibit C- Jul. 2, 2023 Video, # 3 Exhibit D- Disciplinary Hearing Report, # 4 Exhibit E- Use of Force Report, # 5 Exhibit F- Offender Grievance Documents)(Hall, Jordan) (Entered: 05/22/2025)
05/22/2025	51	BRIEF/MEMORANDUM in Support re 49 MOTION for Summary Judgment , filed by Defendant CHADD TYLER. (Hall, Jordan) (Entered: 05/22/2025)
05/22/2025	52	NOTICE <i>Regarding Right to Respond to and Submit Evidence in Opposition to Motion for Summary Judgment</i> , filed by Defendant CHADD TYLER, re 50 Designation of Evidence, 51 Brief/Memorandum in Support, 49 MOTION for Summary Judgment . (Hall, Jordan) (Entered: 05/22/2025)
05/22/2025	53	NOTICE of Manual Filing re 50 Designation of Evidence, filed by CHADD TYLER (Hall, Jordan) (Entered: 05/22/2025)
05/27/2025	54	Receipt of one CD received in the Indianapolis Division re 53 NOTICE of Manual Filing re 50 Designation of Evidence, filed by CHADD TYLER (Hall, Jordan) (Attachments: # 1 Cover Letter, # 2 Envelope) (CCG) (Entered: 05/28/2025)
06/02/2025	55	MOTION for Assistance with Recruiting Counsel, filed by Plaintiff DEMARKUS ADAMS. (JRB) (Entered: 06/02/2025)
06/02/2025	56	MOTION to Proceed with Settlement Conference and/or Trial, filed by Plaintiff DEMARKUS ADAMS. (JRB) (Entered: 06/02/2025)
06/04/2025	57	ORDER - Mr. Adams's motions for assistance with recruiting counsel, dkt. 47 , dkt. 55 , are denied without prejudice. Mr. Adams requests that the court proceed with scheduling a settlement conference or trial because Defendants failed to file a motion for summary judgment by the deadline. Dkt. 56 . The docket shows that Defendants filed a motion for partial summary judgment on May 22, 2025, which is the deadline mandated by the court's order at dkt. 45. Therefore, Mr. Adams's motion, dkt. 56 , is denied. The clerk is directed to send Mr. Adams a copy of Defendants' motion for partial summary judgment, dkt. 49 , designation of evidence, dkt. 50 , brief in support of motion for partial summary judgment, dkt. 51 , and notice regarding the right to respond and submit evidence, dkt. 52 . If Mr. Adams wishes to file a response in opposition to the motion for partial summary judgment, he must do so by June 19, 2025, or file a motion requesting an extension of time. SEE

		ORDER. Signed by District Judge Richard L Young on 6/4/2025. Copy to Plaintiff via US Mail. (Attachments: # 1 Dkts. 49 - 52) (AAS) (Entered: 06/04/2025)
06/09/2025	58	MOTION for Extension of Time, filed by Plaintiff DEMARKUS ADAMS. (JRB) (Entered: 06/09/2025)
06/12/2025	59	MOTION to Withdraw Attorney Appearance of <i>Jordan D. Hall</i> , filed by Defendant CHADD TYLER. (Attachments: # 1 Text of Proposed Order Proposed Order)(Hall, Jordan) (Entered: 06/12/2025)
06/13/2025	60	ORDER granting 59 Motion to Withdraw Attorney Appearance. Attorney Jordan Douglas Hall withdrawn. SEE ORDER. Copy sent to Plaintiff via US Mail. Signed by Magistrate Judge Mario Garcia on 6/13/2025. (JRB) (Entered: 06/13/2025)
06/16/2025	61	ORDER GRANTING MOTION FOR EXTENSION OF TIME - Plaintiff Demarkus Adams has filed a motion requesting a 60-day extension of time to file his response to Defendant's motion for summary judgment. Dkt. 58. Plaintiff's motion, dkt. 58 , is granted. Plaintiff shall file his response no later than August 19, 2025. The Defendant will have 14 days to file a reply. Signed by Magistrate Judge Mario Garcia on 6/16/2025. (Copy to plaintiff via US Mail.) (KAA) (Entered: 06/16/2025)
08/11/2025	62	RESPONSE in Opposition to 49 MOTION for Summary Judgment , filed by Plaintiff DEMARKUS ADAMS. (JRB) (Entered: 08/11/2025)
08/11/2025	63	BRIEF/MEMORANDUM in Support of 62 Response in Opposition to 49 MOTION for Summary Judgment , filed by Plaintiff DEMARKUS ADAMS. (JRB) (Entered: 08/11/2025)
08/11/2025	64	Designation of Evidence in Support of 62 Response in Opposition to 49 MOTION for Summary Judgment , filed by Plaintiff DEMARKUS ADAMS. (Attachments: # 1 Exhibit) (JRB) (Entered: 08/11/2025)
08/11/2025	65	MOTION to Subpoena Video Footage in Question for Exigent Circumstances, filed by Plaintiff DEMARKUS ADAMS. (JRB) (Entered: 08/11/2025)
08/19/2025	66	REPLY in Support of Motion re 49 MOTION for Summary Judgment , filed by Defendant CHADD TYLER. (Shouse, Eric) (Entered: 08/19/2025)
09/11/2025	67	ORDER denying as unnecessary 65 Motion to Subpoena Video Footage in Question for Exigent Circumstances because Defendant filed a copy of the video footage at issue with his summary judgment motion. Copy sent to plaintiff via US mail. Signed by Magistrate Judge Mario Garcia on 9/11/2025. (TPS) (Entered: 09/11/2025)
02/12/2026	68	ORDER GRANTING IN PART AND DENYING IN PART DEFENDANT'S PARTIAL MOTION FOR SUMMARY JUDGMENT - The defendant's motion for partial summary judgment is GRANTED IN PART AND DENIED IN PART. Dkt. 49 . The motion is GRANTED as to the plaintiff's First Amendment claim and DENIED as to his Eighth Amendment claim. The plaintiff's Eighth Amendment excessive force claim against the defendant will proceed to be resolved through settlement or trial. The court reconsiders its previous denial of the plaintiff's motion to appoint counsel, dkt. 55 . This motion is now GRANTED. The court will attempt to recruit counsel to represent the plaintiff through final judgment. Once counsel has been recruited, the Magistrate Judge is asked to schedule a telephonic status conference to discuss further proceedings. SEE ORDER. Signed by District Judge Richard L Young on 2/12/2026. (Copy to plaintiff via US Mail.) (KAA) (Entered: 02/12/2026)