

***** PUBLIC DOCKET *******U.S. District Court
Southern District of Indiana (Indianapolis)
CIVIL DOCKET FOR CASE #: 1:23-cv-02267-JPH-CSW**

BANKHEAD v. REAGLE et al
Assigned to: Judge James Patrick Hanlon
Referred to: Magistrate Judge Crystal S. Wildeman
Demand: \$250,000
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 12/18/2023
Jury Demand: Both
Nature of Suit: 555 Prisoner Petitions -
Prison Condition
Jurisdiction: Federal Question

Plaintiff**ACTORA MECONN BANKHEAD**

represented by **ACTORA MECONN BANKHEAD**
914468
PENDLETON - CF
PENDLETON CORRECTIONAL
FACILITY
Inmate Mail/Parcels
4490 West Reformatory Road
PENDLETON, IN 46064
PRO SE

V.

Defendant**D. REAGLE**
Warden

represented by **David Matthew Price**
Office of the Indiana Attorney General
302 W Washington Street
Ste IGCS 5th Floor
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317-232-5696
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ATTORNEY TO BE NOTICED

Katherine A Meltzer
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ATTORNEY TO BE NOTICED

Defendant**J. ERNEST**
Capt.

represented by **David Matthew Price**
(See above for address)
ATTORNEY TO BE NOTICED

Katherine A Meltzer
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant

J. JACKSON
Lt.

represented by **David Matthew Price**
 (See above for address)
ATTORNEY TO BE NOTICED

Katherine A Meltzer
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant

BROWN
Sgt.

represented by **David Matthew Price**
 (See above for address)
ATTORNEY TO BE NOTICED

Katherine A Meltzer
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/18/2023	1	COMPLAINT against BROWN, J. ERNEST, J. JACKSON, D. REAGLE, filed by ACTORA MECONN BANKHEAD. (No fee paid with this filing) (Attachments: # 1 Exhibit, # 2 Envelope)(CCG) (Entered: 12/19/2023)
12/18/2023	2	MOTION to Appoint Counsel, filed by Plaintiff ACTORA MECONN BANKHEAD. (Attachments: # 1 Exhibit, # 2 Envelope)(CCG) (Entered: 12/19/2023)
12/18/2023	3	MOTION for Leave to Proceed in forma pauperis, filed by Plaintiff ACTORA MECONN BANKHEAD. (Attachments: # 1 Exhibit, # 2 Envelope)(CCG) (Entered: 12/19/2023)
12/19/2023	4	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (CCG) (Entered: 12/19/2023)
12/19/2023	5	Notice to File Rule 7.1 Disclosure Statement. (RAGS) (CCG) (Entered: 12/19/2023)
12/20/2023	6	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: 12/20/2023)
01/03/2024	7	ORDER ON IN FORMA PAUPERIS STATUS - The plaintiff's motion to proceed in forma pauperis, dkt. 3 , is granted. Although the plaintiff is excused from pre-paying the full filing fee, he still must pay the three hundred and fifty dollar (\$350.00) filing fee pursuant to the statutory formula set forth in 28 U.S.C. § 1915(b)(2) when able. The assessment of even an initial partial filing fee is waived because the plaintiff has no assets and no means by which to pay a partial filing fee. (See Order.) Signed by Judge James Patrick Hanlon on 1/3/2024. Copy to Plaintiff via US mail. (JSR) (Entered: 01/04/2024)
03/07/2024	8	ORDER SCREENING COMPLAINT, DENYING MOTION FOR COUNSEL, AND DIRECTING FURTHER PROCEEDINGS - Plaintiff has filed a motion to appoint counsel, dkt. 3 , which is denied . The clerk is directed to attach this Court's standard motion for assistance with recruiting counsel form to Plaintiff's copy of this Order. Part III of this Order includes all viable claims identified by the Court. If Plaintiff believes the

		complaint contains additional viable claims, he may identify those claims in a separate filing by April 5, 2024. The clerk is directed pursuant to Fed. R. Civ. P. 4(c)(3) to issue process to the defendants Reagle, Ernest, Jackson, and Brown. 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 defendants electronically (See Order for Details). Signed by Judge James Patrick Hanlon on 3/7/2024. Copy to Plaintiff via US Mail. (Attachments: # 1 motion for assistance with recruiting counsel form) (DWH) Modified on 3/8/2024 (DWH). (Entered: 03/08/2024)
03/08/2024	9	NOTICE of Lawsuit & Waiver Issued by Clerk TO: 1) Warden D. Reagle; 2) Captain J. Ernest; 3) Lieutenant J. Jackson; and 4) Sergeant Brown. (DWH) (Entered: 03/08/2024)
03/08/2024	10	Documents to be Sent via Electronic Notice TO: 1) Warden D. Reagle; 2) Captain J. Ernest; 3) Lieutenant J. Jackson; and 4) Sergeant Brown - re 1 Complaint, 9 NOTICE of Lawsuit & Waiver Issued by Clerk. Electronic Notice to IDOC. (DWH) (Entered: 03/08/2024)
04/24/2024	11	NOTICE of Appearance by David Matthew Price on behalf of Defendants BROWN, J. ERNEST, J. JACKSON, D. REAGLE. (Price, David) (Entered: 04/24/2024)
04/24/2024	12	WAIVER OF SERVICE Returned Executed, filed by J. JACKSON, J. ERNEST, D. REAGLE, BROWN. J. JACKSON waiver sent on 3/8/2024; J. ERNEST waiver sent on 3/8/2024; D. REAGLE waiver sent on 3/8/2024; BROWN waiver sent on 3/8/2024. (Price, David) (Entered: 04/24/2024)
04/24/2024	13	MOTION for Extension of Time to 6/6/2024 , filed by Defendants BROWN, J. ERNEST, J. JACKSON, D. REAGLE. (Attachments: # 1 Text of Proposed Order Proposed Order Granting Motion for Extension of Time)(Price, David) (Entered: 04/24/2024)
04/24/2024	14	NOTICE of Appearance by Katherine A Meltzer on behalf of Defendants BROWN, J. ERNEST, J. JACKSON, D. REAGLE. (Meltzer, Katherine) (Entered: 04/24/2024)
04/26/2024	15	ORDER granting Defendants' 13 Motion for Extension of Time to File response to complaint to 6/6/2024. Copy to Plaintiff via US Mail. Signed by Magistrate Judge Crystal S. Wildeman on 4/26/2024. (SWM) (Entered: 04/26/2024)
04/30/2024	16	CONSENT to Prisoner E-Service by ACTORA MECONN BANKHEAD located at PENDLETON CF. Pursuant to General Order 2013-1, documents submitted by ACTORA MECONN BANKHEAD to the court for filing will generate a Notice of Electronic Filing that will constitute official service upon registered users of CM/ECF. If any parties to the case are not registered CM/ECF users, the Clerk of the Court will mail the document via U.S. Postal Service on behalf of the inmate. NOTE: The E-Filing Program does not affect the obligation of other parties to serve copies of documents in accordance with the Federal Rules of Civil Procedure. (Attachments: # 1 Cover Letter)(SWM) (Entered: 05/01/2024)
06/05/2024	17	ANSWER to Plaintiff's Complaint, Affirmative Defenses and Demand for Jury Trial, filed by Defendants BROWN, J. ERNEST, J. JACKSON, D. REAGLE. (Price, David) (Entered: 06/05/2024)
06/14/2024	18	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 1/14/2025. Discovery due by 12/16/2024. Signed by Magistrate Judge Crystal S. Wildeman on 6/14/2024.(LBT) (Entered: 06/17/2024)
06/14/2024	19	SCHEDULING ORDER: Telephonic Initial Discovery Conference set for 8/21/2024 at 2:30 PM (Eastern Time) before Magistrate Judge Crystal S. Wildeman. The Court will contact counsel through the Court's electronic filing system with the call-in information to be used to participate in the conference. The Court will contact staff at Pendleton Correctional Facility by separate email to obtain/provide the call-in information needed to connect Mr. Bankhead to the conference. See Order for details. Signed by Magistrate Judge Crystal S. Wildeman on 6/14/2024.(LBT) (Entered: 06/17/2024)
06/14/2024	20	ORDER to Make Inmate Available - via Telephone. Warden of Pendleton Correctional Facility ordered to make ACTORA MECONN BANKHEAD, #914468, Available - via Telephone for court proceeding on 8/21/2024 at 2:30 PM. See Order for details. Signed by Magistrate Judge Crystal S. Wildeman on 6/14/2024.(LBT) (Entered: 06/17/2024)
06/24/2024	21	MOTION to Appoint Counsel, filed by Plaintiff ACTORA MECONN BANKHEAD. (Attachments: # 1 Exhibit, # 2 Envelope)(LF) (Entered: 06/26/2024)
08/13/2024	22	NOTICE of Service of Initial Disclosures , filed by Defendants BROWN, J. ERNEST, J. JACKSON, D. REAGLE. (Price, David) (Entered: 08/13/2024)
08/20/2024	24	NOTICE of Difficulties, filed by Plaintiff ACTORA MECONN BANKHEAD. (Attachments: # 1 Exhibit, # 2 Envelope) (LF) (Entered: 08/20/2024)
08/22/2024	25	MINUTE ORDER for proceedings held before Magistrate Judge Crystal S. Wildeman: Discovery Conference held on 8/21/2024. The Parties discussed case status. The Court confirms the deadlines in its Order Setting Pretrial Schedule and Discussing Discovery in Prisoner Litigation (Dkt. No. 18). The Parties have exchanged initial disclosures and discussed planned additional discovery, including taking of the plaintiff's deposition. Plaintiff was reminded that the Court cannot offer legal advice and that he should direct discovery to defense counsel. Plaintiff should also be mindful of deadlines in the scheduling order and respond to requests and correspondences he receives from defendants. No further orders are entered at this time. Signed by Magistrate Judge Crystal S. Wildeman. (TMB) (Entered: 08/22/2024)
08/28/2024	26	MOTION for Discovery, filed by Plaintiff ACTORA MECONN BANKHEAD. (Attachments: # 1 Envelope)(DWH) (Entered: 08/29/2024)
09/05/2024	27	ORDER - 26 Motion for Discovery is GRANTED to the extent that Defendants are directed to treat the motion as a properly served discovery request and respond to it within 30 days of the date of this Order. See Order for details. Signed by Magistrate Judge Crystal S. Wildeman on 9/5/2024. (LBT) (Entered: 09/05/2024)
10/07/2024	28	MOTION for Extension of Time to 10/21/2024 <i>to Respond to Discovery Request</i> , filed by Defendants BROWN, J. ERNEST, J. JACKSON, D. REAGLE. (Attachments: # 1 Text of Proposed Order Proposed Order Granting MEOT)(Price, David) (Entered: 10/07/2024)
10/15/2024	29	ORDER: Pending before the Court is Defendants' motion to extend their time to respond to Plaintiff's discovery requests. Dkt. 28. The Court finds good cause for the requested extension, and the motion, Dkt. 28 , is granted. Defendants shall have up to and including October 21, 2024, to respond to Plaintiff's discovery requests as directed by the Court's September 5, 2024, Order. See Dkt. 27 . See Order. Signed by Magistrate Judge Crystal S. Wildeman on 10/15/2024. (LF) (Entered: 10/15/2024)
10/21/2024	30	NOTICE of Compliance with Discovery, filed by Defendants D. REAGLE, J. ERNEST, J. JACKSON, BROWN, re 27 Order on Motion for Discovery. (Price, David) (Entered: 10/21/2024)

10/21/2024	31	ORDER - denying without prejudice 21 Motion to Appoint Counsel. (See Order.) Signed by Judge James Patrick Hanlon on 10/21/2024. (JSR) (Entered: 10/22/2024)
11/13/2024	32	NOTICE <i>Regarding Settlement Conference</i> , filed by Defendants D. REAGLE, J. ERNEST, J. JACKSON, BROWN (Price, David) (Entered: 11/13/2024)
11/13/2024	33	MOTION to Take Deposition from Actorra Meconn Bankhead , filed by Defendants D. REAGLE, J. ERNEST, J. JACKSON, BROWN. (Attachments: # 1 Text of Proposed Order Proposed Order Granting Motion for Leave to Depose Plaintiff)(Price, David) (Entered: 11/13/2024)
11/13/2024	34	NOTICE Regarding Settlement Conference, filed by Plaintiff ACTORA MECONN BANKHEAD (KAA) (Entered: 11/13/2024)
11/18/2024	35	ORDER GRANTING 33 DEFENDANTS' MOTION FOR LEAVE TO DEPOSE PLAINTIFF - Defendants may depose Plaintiff Actora Meconn Bankhead, an inmate held in the custody of the IDOC, on the date as agreed upon by counsel before discovery closes. (See Order.) Signed by Magistrate Judge Crystal S. Wildeman on 11/18/2024. (JSR) (Entered: 11/19/2024)
12/09/2024	36	MOTION for Extension of Time to 12/16/2024 <i>Respond to Plaintiff's First Interrogatories</i> , filed by Defendants D. REAGLE, J. ERNEST, J. JACKSON, BROWN. (Attachments: # 1 Text of Proposed Order Proposed Order Granting MEOT)(Price, David) (Entered: 12/09/2024)
12/16/2024	37	ORDER GRANTING DEFENDANTS' MOTION FOR EXTENSION OF TIME - This matter comes before the Court on Defendants' motion for extension of time to respond to Plaintiff's First Set of Interrogatories. The Court, being duly advised, now GRANTS said motion. Dkt. 36 . IT IS THEREFORE ORDERED that Defendants shall have up to and including December 16, 2024, to respond to Plaintiff's First Set of Interrogatories. Signed by Magistrate Judge Crystal S. Wildeman on 12/16/2024. (AJG) (Entered: 12/16/2024)
12/20/2024	38	MOTION for Extension of Time to 30 day extension of all deadlines in which to 18 Order Setting Pretrial Schedule and Discussing Discovery in Prisoner Litigation , filed by Defendants D. REAGLE, J. ERNEST, J. JACKSON, BROWN. (Attachments: # 1 Text of Proposed Order Proposed Order Granting JOINT MOTION TO EXTEND PRETRIAL DEADLINES)(Price, David) (Entered: 12/20/2024)
12/20/2024	39	Joint MOTION <i>for Telephonic Attorneys' Conference</i> , filed by Defendants D. REAGLE, J. ERNEST, J. JACKSON, BROWN. (Attachments: # 1 Text of Proposed Order)(Price, David) (Entered: 12/20/2024)
12/31/2024	40	ORDER - Defendants' unopposed motion to extend certain case deadlines, Dkt. 38 , is granted to the extent stated in this Order. Defendants shall have up to and including January 15, 2025, to respond to Plaintiff's first set of interrogatories. The deadline for completing discovery is extended up to and including February 14, 2025. That means that discovery requests must be served no later than January 15, 2025. The deadline for filing preliminary witness lists is extended up to and including March 17, 2025. The deadline for filing summary judgment motions is extended up to and including March 17, 2025. The Court does not anticipate further extensions of these deadlines. (See Order.) Signed by Magistrate Judge Crystal S. Wildeman on 12/31/2024. (JSR) (Entered: 12/31/2024)

01/03/2025	41	ORDER granting 39 JOINT MOTION FOR TELEPHONIC CONFERENCE: IT IS THEREFORE ORDERED that this matter is set for a telephonic conference on January 21, 2025, at 10:00 a.m. (Eastern Time). The purpose of the conference is to discuss outstanding discovery issues and the Court's order denying motion to appoint counsel (Dkt. No. 31). See Order. Signed by Magistrate Judge Crystal S. Wildeman on 1/3/2025. (Copy to Plaintiff via US Mail.) (LF) (Entered: 01/03/2025)
01/03/2025	42	ORDER to Make Inmate Available - via Telephone. Warden of Pendleton Correctional Facility ordered to make Actora Meconn Bankhead Available - via Telephone for court proceeding on 1/21/2025 at 10:00 a.m.(Eastern). See Order. Signed by Magistrate Judge Crystal S. Wildeman on 1/3/2025.(LF) (Entered: 01/03/2025)
01/15/2025	43	NOTICE of Compliance and Defendant Brown's Motion for Extension of Time to Respond to Plaintiff's First Set of Interrogatories, filed by Defendants D. REAGLE, J. ERNEST, J. JACKSON, BROWN (Attachments: # 1 Text of Proposed Order Proposed Order Granting MEOT) (Price, David) (Entered: 01/15/2025)
01/21/2025	45	MINUTE ORDER for proceedings held before Magistrate Judge Crystal S. Wildeman: Status Conference held on 1/21/2025. The parties discussed the status of discovery.**See Order** Signed by Magistrate Judge Crystal S. Wildeman. (Attachments: # 1 Form Motion for Assistance With Recruiting Counsel, # 2 Copy of Order at Dkt 31)(TMB) (Entered: 01/21/2025)
02/07/2025	46	NOTICE of Compliance, filed by Defendants D. REAGLE, J. ERNEST, J. JACKSON, BROWN, re 45 Status Conference. (Price, David) (Entered: 02/07/2025)
02/12/2025	47	MOTION for Assistance with Recruiting Counsel, filed by Plaintiff ACTORA MECONN BANKHEAD. (Attachments: # 1 Exhibit)(JRB) (Entered: 02/12/2025)
02/14/2025	48	NOTICE of Compliance, filed by Defendants D. REAGLE, J. ERNEST, J. JACKSON, BROWN (Price, David) (Entered: 02/14/2025)
02/24/2025	49	NOTICE of Defendants' Noncompliance to the Court, filed by Plaintiff ACTORA MECONN BANKHEAD (JRB) (Entered: 02/24/2025)
02/24/2025	50	DECLARATION of ACTORA MECONN BANKHEAD. (Attachments: # 1 Exhibit) (JRB) (Entered: 02/24/2025)
02/24/2025	51	Submission of Evidence in Support of 47 MOTION to Appoint Counsel, filed by Plaintiff ACTORA MECONN BANKHEAD. (Attachments: # 1 Exhibit)(JRB) (Entered: 02/24/2025)
02/25/2025	52	MOTION to Amend Belated Notice of Defendant's Noncompliance to the Court's Discovery Order, filed by Plaintiff ACTORA MECONN BANKHEAD. (Attachments: # 1 Proposed Amended Notice, # 2 Exhibit)(JRB) (Entered: 02/25/2025)
02/25/2025	53	MOTION to Amend Notice of Submission of Evidence in Support of Motion to Appoint Counsel, filed by Plaintiff ACTORA MECONN BANKHEAD. (Attachments: # 1 Proposed Amended Notice, # 2 Exhibit)(JRB) (Entered: 02/25/2025)
02/26/2025	54	NOTICE of Defendant's Noncompliance to the Court's Discovery Order, filed by Plaintiff ACTORA MECONN BANKHEAD (JRB) (Entered: 02/26/2025)
02/28/2025	55	ORDER ON PENDING MOTION - Now before the Court are Plaintiff Actora Meconn Bankhead's Notice of Defendants' Noncompliance to the Court's Discovery Order (the "Notice") (Dkt. 49), Motion to Amend Belated Notice of Defendant's Noncompliance to the Court's Discovery Order (the "Motion") (Dkt. 52), and Clarified Notice of Defendants' Noncompliance to the Court's Discovery Order (the "Clarified Notice") (Dkt. 54). For the following reasons, the Motion is GRANTED (Dkt. 52), and Defendants are ORDERED

		to file a notice with the Court as described. Because it is unclear from Defendants' notices, Defendants are ORDERED to file a notice with the Court within seven (7) days of the date of this order. *** SEE ORDER ***. Signed by Magistrate Judge Crystal S. Wildeman on 2/28/25. (CKM) Modified on 3/3/2025 to link docket numbers (KAA). (Entered: 02/28/2025)
03/05/2025	56	MARGINAL ENTRY / ORDER - The motion is denied because, despite the scrivener's error, the Court is in receipt of Plaintiff's filing at Dkt. 51 . Signed by Magistrate Judge Crystal S. Wildeman on 3/5/2025. Copy mailed to Plaintiff. (BAA) (Entered: 03/05/2025)
03/07/2025	57	NOTICE of Compliance, filed by Defendants BROWN, J. ERNEST, J. JACKSON, D. REAGLE (Price, David) (Entered: 03/07/2025)
03/17/2025	58	MOTION for Summary Judgment , filed by Defendants BROWN, J. ERNEST, J. JACKSON. (Attachments: # 1 Exhibit A. Affidavit of Trent Allen, # 2 Exhibit B. Bankheads Bed Location History, # 3 Exhibit C. IDOC Policy 01-03-105, # 4 Exhibit D. Defendant Jason Ernests Responses to Plaintiffs Interrogatories, # 5 Exhibit E. Defendant Jonathan Jacksons Responses to Plaintiffs Interrogatories, # 6 Exhibit F. Defendant Ashley Browns Responses to Plaintiffs Interrogatories.)(Price, David) (Entered: 03/17/2025)
03/17/2025	59	***PLEASE DISREGARD. REFILED AT DKT. 63*** NOTICE to Pro Se Litigant, filed by Defendants BROWN, J. ERNEST, J. JACKSON (Price, David) Modified on 3/17/2025 (LDH). (Entered: 03/17/2025)
03/17/2025	60	Witness List Preliminary, filed by Defendants BROWN, J. ERNEST, J. JACKSON, D. REAGLE. (Price, David) (Entered: 03/17/2025)
03/17/2025	61	NOTICE of Compliance, filed by Defendants BROWN, J. ERNEST, J. JACKSON, D. REAGLE (Price, David) (Entered: 03/17/2025)
03/17/2025	62	BRIEF/MEMORANDUM in Support re 58 MOTION for Summary Judgment , filed by Defendants BROWN, J. ERNEST, J. JACKSON. (Price, David) (Entered: 03/17/2025)
03/17/2025	63	NOTICE Amended to Pro Se Litigant, filed by Defendants BROWN, J. ERNEST, J. JACKSON, re 58 MOTION for Summary Judgment . (Price, David) (Entered: 03/17/2025)
03/17/2025	64	Submission of Evidence of Defendant's Noncompliance to the Court's Discovery Order, filed by Plaintiff ACTORA MECONN BANKHEAD. (Attachments: # 1 Exhibit)(TPS) (Entered: 03/18/2025)
03/21/2025	65	Second Submission of Evidence in Support of Motion to Appoint Counsel Dkt. 47 ., filed by Plaintiff ACTORA MECONN BANKHEAD. (AJG) (Entered: 03/21/2025)
03/31/2025	66	RESPONSE in Opposition to 58 MOTION for Summary Judgment , filed by Plaintiff ACTORA MECONN BANKHEAD. (JRB) (Entered: 03/31/2025)
03/31/2025	67	MOTION for Default Judgment as to, filed by Plaintiff ACTORA MECONN BANKHEAD. (BAA) (Entered: 03/31/2025)
04/09/2025	68	NOTICE of Receipt of Incomplete Discovery Materials, filed by Plaintiff ACTORA MECONN BANKHEAD (JRB) (Entered: 04/09/2025)
04/10/2025	69	ORDER: Now comes the Court sua sponte. After the Court's Order at (Dkt. 55), Defendants filed two notices representing to the Court they have sent the logbooks for June, July, August, September, October, and December 2023 to Plaintiff. (Dkts. 57 , 61). Thereafter, Plaintiff filed a notice stating he received "incomplete" logbooks missing certain periods of time. (Dkt. 68). Accordingly, the parties are ORDERED to meet and

		confer on the Court's conference call line on April 23, 2025, at 10:00 a.m. EST. An Order to Make Inmate Available shall issue by separate entry. See Order. Signed by Magistrate Judge Crystal S. Wildeman on 4/10/2025.(LF) (Entered: 04/10/2025)
04/10/2025	70	ORDER to Make Inmate Available - via Telephone. Warden of Pendleton Correctional Facility ordered to make ACTORA MECONN BANKHEAD, # 914468 Available - via Telephone for court proceeding on 4/23/2025 at 10:00 a.m. (Eastern). See Order. Signed by Magistrate Judge Crystal S. Wildeman on 4/10/2025.(LF) (Entered: 04/10/2025)
04/14/2025	71	MOTION for Extension of Time to May 14, 2025 to Respond to 67 Motion for Default Judgment and to Reply in Support of 58 Motion for Summary Judgment, filed by Defendants BROWN, J. ERNEST, J. JACKSON, D. REAGLE. (Attachments: # 1 Text of Proposed Order)(Price, David) (Entered: 04/14/2025)
04/25/2025	73	NOTICE of Summary of Meet and Confer, filed by Defendants BROWN, J. ERNEST, J. JACKSON, D. REAGLE (Price, David) (Entered: 04/25/2025)
05/05/2025	74	ORDER granting 71 Motion for Extension of Time - Defendants shall have until May 14, 2025, to respond to the Motion for Default Judgment. (Dkt. 67). IT IS FURTHER ORDERED that Defendants Jason Ernest, Jonathan Jackson and Ashley Brown shall have until May 14, 2025, to reply in support of their Motion for Summary Judgment. (Dkt. 58). SEE ORDER. Signed by Magistrate Judge Crystal S. Wildeman on 5/5/2025. (JRB) (Entered: 05/06/2025)
05/07/2025	75	NOTICE of Summary of May 2, 2025 Meet and Confer, filed by Defendants BROWN, J. ERNEST, J. JACKSON, D. REAGLE (Price, David) (Entered: 05/07/2025)
05/07/2025	76	ORDER denying 47 Motion for Assistance with Recruiting Counsel - SEE ORDER. Signed by Judge James Patrick Hanlon on 5/7/2025. (JRB) (Entered: 05/08/2025)
05/08/2025	77	ORDER - The Court previously issued orders on the parties' discovery dispute regarding G cell house logbooks. (Dkts. 55, 69). Defendants filed notices indicating the dispute has been resolved and Plaintiff Actora Bankhead is in possession of all the logbooks. (Dkts. 73, 75). Once the pending Motion for Summary Judgment and Motion for Default Judgment are fully briefed, the Court will issue rulings on them in due course. No further orders are entered at this time. Signed by Magistrate Judge Crystal S. Wildeman on 5/8/2025. (CKM) (Entered: 05/08/2025)
05/12/2025	78	MOTION for Extension of Time, filed by Plaintiff ACTORA MECONN BANKHEAD. (JRB) (Entered: 05/12/2025)
05/14/2025	79	RESPONSE in Opposition re 67 MOTION for Default Judgment as to , filed by Defendants BROWN, J. ERNEST, J. JACKSON, D. REAGLE. (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B)(Price, David) (Entered: 05/14/2025)
05/14/2025	80	REPLY in Support of Motion re 58 MOTION for Summary Judgment , filed by Defendants BROWN, J. ERNEST, J. JACKSON, D. REAGLE. (Price, David) (Entered: 05/14/2025)
05/15/2025	81	ORDER - Plaintiff filed a motion for additional time to respond to the summary judgment motion. Dkt. 78 . Defendants also filed a summary judgment reply in which they noted that the document docketed. Upon further review, and keeping in mind Plaintiff's pro se status, the document docketed as Plaintiff's response in opposition to the summary judgment motion is better understood as a request for more time to respond to the summary judgment motion. Considering this history, Plaintiff's motion for extension of time, Dkt. 78 , is granted to the extent that he shall have up to and including June 16, 2025, to file a response to the pending summary judgment motion, Dkt. 58 , and a reply in

		support of his motion for default judgment, Dkt. 67 . Signed by Magistrate Judge Crystal S. Wildeman on 5/15/2025. (See Order.) (BAA) (Entered: 05/15/2025)
05/23/2025	82	MOTION to Strike 60 Witness List, filed by Plaintiff ACTORA MECONN BANKHEAD. (JRB) (Entered: 05/23/2025)
06/06/2025	83	RESPONSE in Opposition re 82 MOTION to Strike 60 Witness List , filed by Defendants BROWN, J. ERNEST, J. JACKSON, D. REAGLE. (Attachments: # 1 Exhibit Ex. A - Affidavit)(Price, David) (Entered: 06/06/2025)
06/06/2025	84	MOTION for Leave to File <i>to File Amended Preliminary Witness List</i> , filed by Defendants BROWN, J. ERNEST, J. JACKSON, D. REAGLE. (Attachments: # 1 Exhibit Ex. A - Amended Preliminary Witness List, # 2 Text of Proposed Order Proposed Order Granting Motion)(Price, David) (Entered: 06/06/2025)
06/09/2025	85	Statement of Material Facts in Dispute, filed by Plaintiff ACTORA MECONN BANKHEAD (JRB) (Entered: 06/09/2025)
06/09/2025	86	Declaration in Opposition to 58 MOTION for Summary Judgment , filed by Plaintiff ACTORA MECONN BANKHEAD. (JRB) (Entered: 06/09/2025)
06/09/2025	87	RESPONSE in Opposition to 58 MOTION for Summary Judgment , filed by Plaintiff ACTORA MECONN BANKHEAD. (Attachments: # 1 Exhibit)(JRB) (Entered: 06/09/2025)
06/09/2025	88	MOTION for Clerk's Entry of Default, filed by Plaintiff ACTORA MECONN BANKHEAD. (JRB) (Entered: 06/09/2025)
06/09/2025	89	Declaration in Support of 88 MOTION for Clerk's Entry of Default, filed by Plaintiff ACTORA MECONN BANKHEAD. (JRB) (Entered: 06/09/2025)
06/09/2025	90	NOTICE of Motion for Default Judgment, filed by Plaintiff ACTORA MECONN BANKHEAD (JRB) (Entered: 06/09/2025)
06/09/2025	91	MOTION for Default Judgment, filed by Plaintiff ACTORA MECONN BANKHEAD. (Attachments: # 1 Text of Proposed Order)(JRB) (Entered: 06/09/2025)
06/09/2025	92	***STRICKEN BY 110 *** DECLARATION as to Military Service by ACTORA MECONN BANKHEAD. (JRB) Modified on 3/23/2026 (JRB). (Entered: 06/09/2025)
06/09/2025	93	MOTION to Establish Damages for Relief Sought, filed by Plaintiff ACTORA MECONN BANKHEAD. (JRB) (Entered: 06/09/2025)
06/10/2025	94	MOTION to Correct Typo in Response in Opposition to Motion for Summary Judgment, filed by Plaintiff ACTORA MECONN BANKHEAD. (JRB) (Entered: 06/10/2025)
06/11/2025	95	REPLY in Support of 82 MOTION to Strike 60 Witness List, filed by Plaintiff ACTORA MECONN BANKHEAD. (JRB) (Entered: 06/11/2025)
06/13/2025	96	MOTION for Leave to File Disclosure of Preliminary Witnesses, filed by Plaintiff ACTORA MECONN BANKHEAD. (Attachments: # 1 Disclosure of Preliminary Witnesses)(JRB) (Entered: 06/13/2025)
06/16/2025	97	MOTION to Supplement Exhibits to Response in Opposition to Defendants' Motion for Summary Judgment, filed by Plaintiff ACTORA MECONN BANKHEAD. (Attachments: # 1 Exhibit)(JRB) (Entered: 06/16/2025)
06/20/2025	98	ORDER granting 94 Motion to Amend/Correct - His motion, Dkt. 94 , is granted to the extent that the Court deems his summary judgment response to be amended to correct the errors identified in the motion. The Court sua sponte extends the deadline for filing any

		summary judgment reply up to and including June 30, 2025. (See Order.) Signed by Magistrate Judge Crystal S. Wildeman on 6/20/2025. (JSR) (Entered: 06/20/2025)
06/23/2025	99	MOTION TO STRIKE PLAINTIFFS MOTION TO ESTABLISH DAMAGES AND PLAINTIFFS DECLARATION AS TO MILITARY SERVICE, filed by Defendants BROWN, J. ERNEST, J. JACKSON, D. REAGLE. (Attachments: # 1 Text of Proposed Order Proposed Order Granting Motion to Strike)(Price, David) (Entered: 06/23/2025)
06/23/2025	100	RESPONSE in Opposition re 91 MOTION for Default Judgment as to, 88 MOTION for Clerk's Entry of Default , filed by Defendants BROWN, J. ERNEST, J. JACKSON, D. REAGLE. (Price, David) (Entered: 06/23/2025)
06/30/2025	101	MOTION in Opposition to 99 MOTION TO STRIKE PLAINTIFFS MOTION TO ESTABLISH DAMAGES AND PLAINTIFFS DECLARATION AS TO MILITARY SERVICE, filed by Plaintiff ACTORA MECONN BANKHEAD. (TPS) (Entered: 06/30/2025)
06/30/2025	102	REPLY in Support of Motion re 58 MOTION for Summary Judgment , filed by Defendants BROWN, J. ERNEST, J. JACKSON. (Price, David) (Entered: 06/30/2025)
07/09/2025	103	ORDER granting 96 Motion for Leave to File Belated Preliminary Witness List - The clerk is directed to docket Plaintiff's preliminary witness list, Dkt. [96-1], as a separate document. SEE ORDER. Signed by Magistrate Judge Crystal S. Wildeman on 7/9/2025. (JRB) (Entered: 07/10/2025)
07/09/2025	104	Preliminary Witness List, filed by Plaintiff ACTORA MECONN BANKHEAD. (JRB) (Entered: 07/10/2025)
08/04/2025	105	ORDER DENYING MOTIONS FOR DEFAULT - Pending before the Court are Mr. Bankhead's motions for default. Dkts. 67 , 88 , 91 . This motion, dkt. 67 , is denied as moot. After meeting and conferring on the issue, the parties represented to the Court that they have resolved their dispute regarding Mr. Bankhead's receipt of the relevant logbooks. See dkts. 73 , 75 , 77 . The Court denies Mr. Bankhead's motion for the clerk's entry of default, dkt. 88 . Accordingly, Mr. Bankhead's motion for default judgment, dkt. 91 , against Mr. Reagle is denied as moot. The plaintiff's motions at dkts. 67 , 88 , and 91 are denied. Signed by Judge James Patrick Hanlon on 8/4/2025. (See Order.) (BAA) (Entered: 08/04/2025)
08/14/2025	106	ORDER - Plaintiff's motion to supplement his summary judgment response exhibits, Dkt. 97 , is granted to the extent that the Court will consider the exhibits when it rules on the pending summary judgment motion. Defendants Brown, Ernest, and Jackson may file a supplemental summary judgment reply that addresses the effect of the newly filed documents on their summary judgment motion within 14 days of the date of this Order. Signed by Magistrate Judge Crystal S. Wildeman on 8/14/2025. (AAS) (Entered: 08/15/2025)
08/29/2025	107	MOTION for Extension of Time to 9/12/25 , filed by Defendants BROWN, J. ERNEST, J. JACKSON. (Attachments: # 1 Exhibit Ex. A - Declaration re Technical Difficulties, # 2 Exhibit Ex. B - Technical difficulty, # 3 Text of Proposed Order Proposed Order Granting MEOT)(Price, David) (Entered: 08/29/2025)
09/08/2025	108	ORDER ON MOTION FOR EXTENSION OF TIME - granting 107 Defendant's Motion for Extension of Time. Defendants shall have until September 12, 2025, to file their supplemental summary judgment reply in this matter. Signed by Magistrate Judge Crystal S. Wildeman on 9/8/2025. (KAA) (Entered: 09/09/2025)
09/12/2025	109	REPLY in Support of Motion re 58 MOTION for Summary Judgment <i>SURREPLY</i> , filed by Defendants BROWN, J. ERNEST, J. JACKSON. (Price, David) (Entered: 09/12/2025)

03/23/2026	110	ORDER DENYING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT - The Court GRANTS Mr. Bankhead's motion to strike, dkt. 82 , to the extent that the Court strikes paragraphs 13 and 19 through 24 from Warden Allen's affidavit at Docket No. 58-1. The motion is DENIED in all other respects. The Defendants' motion to file an amended witness list, dkt. 84 , is GRANTED. The clerk is directed to re-docket the proposed amended witness list, dkt. 84-1. Mr. Bankhead's motion to establish damages, dkt. 93 , is DENIED as unnecessary. The Defendants' motion to strike plaintiff's motion to establish damages and plaintiff's declaration as to military service, dkt. 99 , is GRANTED to the extent that the clerk is directed to strike dkt. 92 . Thus, Mr. Bankhead's motion in opposition to the motion to strike is DENIED, dkt. 101 . The Court DENIES Cpt. Ernest, Lt. Jackson, and Sgt. Brown's motion for summary judgment, dkt. 58 . Mr. Bankhead's Eighth Amendment claims against these Defendants and Warden Reagle will have to be resolved through settlement or trial. The Court reconsiders its previous denial of Mr. Bankhead's motion to appoint counsel, dkt. 47 . This motion is now GRANTED. The Court will attempt to recruit counsel to represent Mr. Bankhead 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 Judge James Patrick Hanlon on 3/23/2026. (JRB) (Entered: 03/23/2026)
03/23/2026	111	Amended Preliminary Witness List, filed by Defendants BROWN, J. ERNEST, J. JACKSON, D. REAGLE. (JRB) (Entered: 03/23/2026)

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