

# \*\*\* PUBLIC DOCKET \*\*\*

NOD

**U.S. District Court  
Southern District of Indiana (Terre Haute)  
CIVIL DOCKET FOR CASE #: 2:23-cv-00386-JRS-MKK**

CARTER et al v. WEXFORD HEALTH SERVICES et al  
Assigned to: Chief District Judge James Russell Sweeney, II  
Referred to: Magistrate Judge M. Kendra Klump  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 06/29/2023  
Jury Demand: Defendant  
Nature of Suit: 555 Prisoner Petitions -  
Prison Condition  
Jurisdiction: Federal Question

**Plaintiff**

**DARRELL DEWAYNE CARTER**

represented by **DARRELL DEWAYNE CARTER**  
957040  
WABASH VALLEY - CF  
Wabash Valley Correctional Facility  
6908 S. Old US Hwy 41  
CARLISLE, IN 47838  
PRO SE

V.

**Defendant**

**NAVEEN RAJOLI**

*Dr., MD*

represented by **Carol A. Dillon**  
BLEEKE DILLON CRANDALL, P.C.  
8470 Allison Pointe Boulevard  
Suite 420  
Indianapolis, IN 46250-4362  
(317) 567-2222  
Fax: (317) 567-2220  
Email: carol@bleekedilloncrandall.com  
*ATTORNEY TO BE NOTICED*

**Douglass R. Bitner**  
Stoll Keenon Ogden PLLC  
The Emelie Building  
334 N Senate Avenue  
Indianapolis, IN 46204  
317-464-1100  
Fax: 317-464-1111  
Email: doug.bitner@skofirm.com  
*ATTORNEY TO BE NOTICED*

**Defendant**

**SAMUEL BYRD**

*Dr., MD*

represented by **Carol A. Dillon**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Douglass R. Bitner**  
 (See above for address)  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
06/29/2023	<a href="#">1</a>	CONSENT to Prisoner E-Service by DARRELL DEWAYNE CARTER located at WVCF. Pursuant to General Order 2013-1, documents submitted by DARRELL DEWAYNE CARTER 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. <b>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.</b> (DJH) (Entered: 07/28/2023)
06/29/2023	<a href="#">2</a>	COMPLAINT against SARA BEDWELL, SAMUEL BYRD, S. CRITCHFIELD, MICHAEL ELLIS, KIMBERLY HOBSON, NAVNEEN RAJOLI, BARBARA RIGGS, FRANK VANIEL, WEXFORD HEALTH SERVICES, filed by DARRELL DEWAYNE CARTER. <b>(No fee paid with this filing)</b> (DJH) (Entered: 07/28/2023)
07/28/2023	<a href="#">3</a>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (DJH) (Entered: 07/28/2023)
07/28/2023	<a href="#">4</a>	Notice to File Rule 7.1 Disclosure Statement. (RAGS) (DJH) (Entered: 07/28/2023)
08/07/2023	<a href="#">5</a>	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. (JRT) (Entered: 08/07/2023)
08/10/2023	<a href="#">6</a>	NOTICE OF DEFICIENCY - Your civil rights complaint has been received. You shall have through September 8, 2023, in which to correct the deficiencies as follows: You must either pay the 402.00 filing fee for this action or demonstrate that you lack the financial ability to do so by filing a motion for leave to proceed without the prepayment of the filing fee ( <i>in forma pauperis</i> ). A form motion for leave to proceed without the prepayment of the filing fee is being provided for your use. NOTE TO PRISONER - If you seek leave to proceed without prepaying the filing fee, and you are a prisoner, your motion must be accompanied by a copy of the transactions associated with your institution trust account for the 6-month period preceding the filing of this action. (JRT) (Entered: 08/10/2023)
08/25/2023	<a href="#">8</a>	Submission of Cover Letter Received with Payment, filed by Plaintiff DARRELL DEWAYNE CARTER. (Attachments: # <a href="#">1</a> Envelope)(SWM) (Entered: 08/30/2023)
08/29/2023	<a href="#">7</a>	RECEIPT #6675 for filing fee in the amount of \$402.00, paid by DARRELL D. CARTER. (DJH) (Entered: 08/29/2023)
12/12/2023	<a href="#">9</a>	MOTION Requesting Status of Case, filed by Plaintiff DARRELL DEWAYNE CARTER. (JRB) (Entered: 12/12/2023)
01/02/2024	<a href="#">10</a>	Order Screening Complaint and Directing Further Proceedings - Mr. Carter's motion for status, dkt. <a href="#">9</a> , is GRANTED to the extent consistent with this Order. If the plaintiff believes that additional claims were alleged in the complaint, but not identified by the Court, he shall have through January 9, 2023, in which to identify those claims. The clerk is directed pursuant to Fed. R. Civ. P. 4(c)(3) to issue process to the defendants in the manner specified by Rule 4(d). Process shall consist of the complaint, dkt <a href="#">2</a> , 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 Frank Vanihel, S. Critchfield, and Michael Ellis electronically. The clerk is directed to serve the Centurion employees Dr. Samuel Byrd, Dr. Naveen Rajoli, HSA Kimberly Hobson, HSA Sara Bedwell, and Nurse Barbara Riggs electronically. SEE ORDER. Signed by Judge James R. Sweeney II on 1/2/2024. (JRB) (Entered: 01/03/2024)
01/02/2024	<a href="#">11</a>	NOTICE of Lawsuit & Waiver Issued by Clerk as to (1) Wexford of Indiana, LLC (2) Dr. Naveen Rajoli; (3) Dr. Samuel Byrd; (4) Sara Bedwell; (5) Kimberly Hobson; (6) Barbara Riggs; (7) S. Critchfield; (8) Frank Vanihel; and (9) Michael Ellis. (JRB) (Entered: 01/03/2024)
01/02/2024	<a href="#">12</a>	Documents to be Sent via Electronic Notice - re <a href="#">10</a> Order on Motion, <a href="#">11</a> NOTICE of Lawsuit & Waiver Issued by Clerk, <a href="#">2</a> Complaint Electronic Notice to Wexford, IDOC, and Centurion. (JRB) (Entered: 01/03/2024)
01/05/2024	<a href="#">13</a>	NOTICE of Appearance by Jonathan Freije on behalf of Defendants S. CRITCHFIELD, MICHAEL ELLIS, FRANK VANIHEL. (Freije, Jonathan) (Entered: 01/05/2024)
01/05/2024	<a href="#">14</a>	WAIVER OF SERVICE Returned Executed, filed by FRANK VANIHEL, S. CRITCHFIELD, MICHAEL ELLIS. FRANK VANIHEL waiver sent on 1/2/2024; S. CRITCHFIELD waiver sent on 1/2/2024; MICHAEL ELLIS waiver sent on 1/2/2024. (Freije, Jonathan) (Entered: 01/05/2024)
01/05/2024	<a href="#">15</a>	NOTICE of Appearance by James Michael Sedam on behalf of Defendants S. CRITCHFIELD, MICHAEL ELLIS, FRANK VANIHEL. (Sedam, James) (Entered: 01/05/2024)
01/19/2024	<a href="#">16</a>	NOTICE of Appearance by Travis W. Montgomery on behalf of Defendants SARA BEDWELL, SAMUEL BYRD, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS. (Montgomery, Travis) (Entered: 01/19/2024)
01/19/2024	<a href="#">17</a>	NOTICE of Appearance by Jeb Adam Crandall on behalf of Defendants SARA BEDWELL, SAMUEL BYRD, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS. (Crandall, Jeb) (Entered: 01/19/2024)
01/19/2024	<a href="#">18</a>	WAIVER OF SERVICE Returned Executed, filed by KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS, SAMUEL BYRD, SARA BEDWELL. KIMBERLY HOBSON waiver sent on 1/2/2024; NAVEEN RAJOLI waiver sent on 1/2/2024; BARBARA RIGGS waiver sent on 1/2/2024; SAMUEL BYRD waiver sent on 1/2/2024; SARA BEDWELL waiver sent on 1/2/2024. (Montgomery, Travis) (Entered: 01/19/2024)
01/24/2024	<a href="#">19</a>	WAIVER OF SERVICE Returned Executed, filed by WEXFORD HEALTH SERVICES. WEXFORD HEALTH SERVICES waiver sent on 1/3/2024. (Bitner, Douglass) (Entered: 01/24/2024)
01/24/2024	<a href="#">20</a>	NOTICE of Appearance by Douglass R. Bitner on behalf of Defendants SAMUEL BYRD, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS, WEXFORD HEALTH SERVICES. (Bitner, Douglass) (Entered: 01/24/2024)
01/24/2024	<a href="#">21</a>	Rule 7.1 Disclosure Statement by WEXFORD HEALTH SERVICES identifying Corporate Parent THE BANTRY GROUP for WEXFORD HEALTH SERVICES.. (Bitner, Douglass) (Entered: 01/24/2024)
02/20/2024	<a href="#">22</a>	ANSWER to <a href="#">2</a> Complaint , filed by WEXFORD HEALTH SERVICES.(Bitner, Douglass) (Entered: 02/20/2024)
03/04/2024	<a href="#">23</a>	ANSWER TO PLAINTIFFS COMPLAINT, AFFIRMATIVE DEFENSES, AND JURY DEMAND, filed by Defendants S. CRITCHFIELD, MICHAEL ELLIS, FRANK

		VANIHEL. (Freije, Jonathan) (Entered: 03/04/2024)
03/04/2024	<a href="#">24</a>	<i>Individual Medical Defendants' ANSWER to <a href="#">2</a> Complaint</i> , filed by SARA BEDWELL, SAMUEL BYRD, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS. (Montgomery, Travis) (Entered: 03/04/2024)
04/24/2024	<a href="#">25</a>	Entry Directing Development of Exhaustion Defense and Issuing Partial Stay - Defendant Wexford of Indiana, LLC has asserted the affirmative defense that the plaintiff failed to exhaust his administrative remedies prior to filing this lawsuit as required by the Prison Litigation Reform Act. The exhaustion defense will be resolved pursuant to the following schedule. Except for activities associated with the development and resolution of the affirmative defense that the plaintiff failed to exhaust his administrative remedies prior to filing this action, or any other matter directed by the Court, any other activities or deadlines in the action are stayed. (See Order.) Signed by Magistrate Judge M. Kendra Klump on 4/24/2024. (JSR) (Entered: 04/25/2024)
04/30/2024	<a href="#">26</a>	NOTICE of Substitution of Appearance by Erica Lee Sawyer replacing <i>James M. Sedam</i> on behalf of S. CRITCHFIELD, MICHAEL ELLIS, FRANK VANIHEL (Sawyer, Erica) (Entered: 04/30/2024)
05/01/2024	<a href="#">27</a>	NOTICE of <i>Withdrawal of Affirmative Defense</i> , filed by Defendant WEXFORD HEALTH SERVICES, re <a href="#">22</a> Answer to Complaint. (Bitner, Douglass) (Entered: 05/01/2024)
05/14/2024	<a href="#">28</a>	ENTRY ADDRESSING WITHDRAWAL OF EXHAUSTION DEFENSE, LIFTING PARTIAL STAY, AND DIRECTING FURTHER PROCEEDINGS - Defendant Wexford Health Services has notified the Court that it is withdrawing the affirmative defense of failure to exhaust administrative remedies. See dkt. <a href="#">27</a> . Accordingly, the partial stay issued at Docket No. <a href="#">25</a> is LIFTED. The Court will issue a separate pretrial scheduling order governing how this action shall proceed. Signed by Magistrate Judge M. Kendra Klump on 5/14/2024. (JSR) (Entered: 05/15/2024)
05/16/2024	<a href="#">29</a>	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 12/16/2024. Discovery due by 11/15/2024. Signed by Magistrate Judge M. Kendra Klump on 5/16/2024.(LBT) (Entered: 05/17/2024)
07/15/2024	<a href="#">30</a>	NOTICE of Service of Initial Disclosures , filed by Defendants SARA BEDWELL, SAMUEL BYRD, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS. (Montgomery, Travis) (Entered: 07/15/2024)
07/17/2024	<a href="#">31</a>	NOTICE of Service of Initial Disclosures on 7/15/24, filed by Defendants S. CRITCHFIELD, MICHAEL ELLIS, FRANK VANIHEL. (Freije, Jonathan) (Entered: 07/17/2024)
09/16/2024	<a href="#">32</a>	NOTICE of Service of <i>Expert Witness Disclosures</i> , filed by Defendants SARA BEDWELL, SAMUEL BYRD, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS (Montgomery, Travis) (Entered: 09/16/2024)
09/25/2024	<a href="#">33</a>	NOTICE of Service of <i>Responses to Plaintiff's Request for Production</i> , filed by Defendants SAMUEL BYRD, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS, WEXFORD HEALTH SERVICES (Bitner, Douglass) (Entered: 09/25/2024)

10/15/2024	<a href="#">34</a>	NOTICE REGARDING SETTLEMENT CONFERENCE, filed by Defendants MICHAEL ELLIS, S. CRITCHFIELD, FRANK VANIHEL, re <a href="#">29</a> Order Setting Pretrial Schedule and Discussing Discovery in Prisoner Litigation. (Freije, Jonathan) (Entered: 10/15/2024)
10/15/2024	<a href="#">35</a>	NOTICE Regarding Settlement Conference, filed by Defendants NAVEEN RAJOLI, SAMUEL BYRD, SARA BEDWELL, KIMBERLY HOBSON, BARBARA RIGGS (Montgomery, Travis) (Entered: 10/15/2024)
10/21/2024	<a href="#">36</a>	NOTICE Regarding Settlement Conference, filed by Plaintiff DARRELL DEWAYNE CARTER (TPS) (Entered: 10/23/2024)
10/31/2024	<a href="#">37</a>	MOTION for Extension of Discovery Deadlines, filed by Plaintiff DARRELL DEWAYNE CARTER. (KAA) (Entered: 10/31/2024)
11/06/2024	<a href="#">38</a>	ORDER granting <a href="#">37</a> Motion for Extension of Discovery Deadlines to the extent that the deadline for completing discovery is extended up to and including January 2, 2025. That means that the deadline for serving written discovery requests is December 3, 2025. (See Dkt. <a href="#">29</a> at 4-5 (discovery requests must be served 30 days before deadline for completing discovery)). In addition, the Court extends the deadline for filing summary judgment motions up to and including February 3, 2025. Signed by Magistrate Judge M. Kendra Klump on 11/6/2024.(JRB) (Entered: 11/07/2024)
11/14/2024	<a href="#">39</a>	MOTION to Expand Number of Interrogatories to Defendant Byrd and Notice of Service, filed by Plaintiff DARRELL DEWAYNE CARTER. (BAA) (Entered: 11/15/2024)
12/04/2024	<a href="#">40</a>	MOTION to Take Deposition from Darrell Carter , filed by Defendants MICHAEL ELLIS, S. CRITCHFIELD, FRANK VANIHEL. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Freije, Jonathan) (Entered: 12/04/2024)
12/06/2024	<a href="#">41</a>	NOTICE of Service, filed by Defendants WEXFORD HEALTH SERVICES, NAVEEN RAJOLI, SAMUEL BYRD, KIMBERLY HOBSON, BARBARA RIGGS (Bitner, Douglass) (Entered: 12/06/2024)
12/13/2024	<a href="#">42</a>	ORDER granting <a href="#">40</a> Motion to Take Deposition from Darrell Dewayne Carter, DOC #957040 - IT IS HEREBY ORDERED that Defendants are granted leave to depose Plaintiff, Darrell Dewayne Carter, DOC #957040 ("Plaintiff"), an inmate held in the custody of the Indiana Department of Correction at Wabash Valley 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 Wabash Valley Correctional Facility. Signed by Magistrate Judge M. Kendra Klump on 12/13/2024. (AAS) (Entered: 12/13/2024)
12/18/2024	<a href="#">43</a>	NOTICE of Taking Deposition by MICHAEL ELLIS, S. CRITCHFIELD, FRANK VANIHEL (Freije, Jonathan) (Entered: 12/18/2024)
12/18/2024	<a href="#">44</a>	NOTICE OF STATE DEFENDANTS RESPONSES TO PLAINTIFFS FIRST SET OF INTERROGATORIES, filed by Defendants MICHAEL ELLIS, S. CRITCHFIELD, FRANK VANIHEL (Freije, Jonathan) (Entered: 12/18/2024)
12/19/2024	<a href="#">45</a>	ORDER - Plaintiff has filed a Motion explaining that he served Defendant Byrd with 28 interrogatories and seeking leave to go beyond the normal 25-interrogatory limit. Dkt. <a href="#">39</a> . Dr. Byrd has not responded in opposition to the Motion, and the deadline for doing so has passed. Accordingly, the Motion, Dkt. <a href="#">39</a> , is GRANTED to the extent that Plaintiff has leave to serve Dr. Byrd with a total of 28 interrogatories. This Order does not constitute a ruling on any other objections that Dr. Byrd might raise in response to those interrogatories. Signed by Magistrate Judge M. Kendra Klump on 12/19/2024. (BAA) (Entered: 12/20/2024)

12/23/2024	<a href="#">46</a>	***PLEASE DISREGARD. STRICKEN PURSUANT TO ATTORNEY FILING ERROR.*** NOTICE of Service of Initial Disclosures ( <i>Supplement</i> ), filed by Defendants MICHAEL ELLIS, S. CRITCHFIELD, FRANK VANIHEL. (Freije, Jonathan) Modified on 12/23/2024 to update docket entry (TPS). (Entered: 12/23/2024)
01/16/2025	<a href="#">47</a>	MOTION to Compel, filed by Plaintiff DARRELL DEWAYNE CARTER. (LBT) (Entered: 01/17/2025)
01/30/2025	<a href="#">48</a>	RESPONSE in Opposition re <a href="#">47</a> MOTION to Compel , filed by Defendants MICHAEL ELLIS, S. CRITCHFIELD, FRANK VANIHEL. (Freije, Jonathan) (Entered: 01/30/2025)
01/30/2025	<a href="#">49</a>	RESPONSE in Opposition re <a href="#">47</a> MOTION to Compel , filed by Defendants SAMUEL BYRD, SARA BEDWELL, KIMBERLY HOBSON, BARBARA RIGGS. (Montgomery, Travis) (Entered: 01/30/2025)
01/31/2025	<a href="#">50</a>	MOTION for Extension of Time to March 3, 2025, <i>to File Dispositive Motions</i> , filed by Defendants NAVEEN RAJOLI, SAMUEL BYRD, SARA BEDWELL, KIMBERLY HOBSON, BARBARA RIGGS. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Montgomery, Travis) (Entered: 01/31/2025)
02/10/2025	<a href="#">51</a>	ORDER - This matter comes before the Court on Defendants' Naveen Rajoli, MD, Samuel Byrd, MD, Sara Bedwell, Kimberly Hobson, RN, and Barbara Riggs, RN, Motion to Extend the Dispositive Motion Deadline, Dkt. <a href="#">50</a> . The Court, having fully reviewed the matter, now GRANTS said motion. The deadline for dispositive motions shall be extended up to and including March 3, 2025. Signed by Magistrate Judge M. Kendra Klump on 2/10/2025. (BAA) (Entered: 02/10/2025)
02/12/2025	<a href="#">52</a>	REPLY in Support of <a href="#">47</a> MOTION to Compel, filed by Plaintiff DARRELL DEWAYNE CARTER. (Attachments: # <a href="#">1</a> Exhibit)(JRB) (Entered: 02/12/2025)
02/19/2025	<a href="#">53</a>	ORDER denying as moot <a href="#">47</a> Motion to Compel - The Court DENIES the Motion as moot; however, the Court ORDERS Defendants Byrd, Bedwell, and Riggs to file a status update no later than February 21, 2025 indicating the status of the responses to Plaintiff's interrogatories and when they were sent to Plaintiff. SEE ORDER. Signed by Magistrate Judge M. Kendra Klump on 02/19/2025. (AAS) (Entered: 02/19/2025)
02/21/2025	<a href="#">54</a>	MOTION for Extension of Time to April 2, 2025 <i>TO EXTEND THE DISPOSITIVE MOTION DEADLINE</i> , filed by Defendants MICHAEL ELLIS, S. CRITCHFIELD, FRANK VANIHEL. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Freije, Jonathan) (Entered: 02/21/2025)
02/21/2025	<a href="#">55</a>	STATUS REPORT by SAMUEL BYRD, SARA BEDWELL, KIMBERLY HOBSON, BARBARA RIGGS. (Montgomery, Travis) (Entered: 02/21/2025)
02/24/2025	<a href="#">56</a>	ORDER - Before the Court is Defendants' Motion to Extend the Dispositive Motion Deadline. Dkt. <a href="#">54</a> . The Court, having considered the matter fully, now GRANTS the Motion for Extension of Time. The deadline for Plaintiff to file his Response Brief shall be extended up to and including April 2, 2025. Signed by Magistrate Judge M. Kendra Klump on 2/24/2025. (BAA) (Entered: 02/24/2025)
02/24/2025	<a href="#">57</a>	MARGINAL ENTRY Re <a href="#">55</a> - The Court acknowledges this Status Report as being compliant with the Court's February 19, 2025 Order (Dkt. <a href="#">53</a> ). Signed by Magistrate Judge M. Kendra Klump on 02/24/2025.(AAS) (Entered: 02/24/2025)
02/25/2025	<a href="#">58</a>	ORDER - On February 24, 2025, the Court entered an Order granting Defendants' Motion to Extend the Dispositive Motion Deadline. (Dkt. <a href="#">56</a> ). The last sentence of that Order was an error. The Court extends the Dispositive Motion Deadline up to and including

		April 2, 2025. Signed by Magistrate Judge M. Kendra Klump on 2/25/2025.(LBT) (Entered: 02/25/2025)
02/27/2025	<a href="#">59</a>	MOTION for Joinder to <i>State Defendants' Motion to Extend the Dispositive Motion Deadline</i> , filed by Defendants NAVEEN RAJOLI, SAMUEL BYRD, SARA BEDWELL, KIMBERLY HOBSON, BARBARA RIGGS. (Attachments: # <a href="#">1</a> Text of Proposed Order) (Montgomery, Travis) (Entered: 02/27/2025)
04/02/2025	<a href="#">60</a>	Joint MOTION for Summary Judgment , filed by Defendants SARA BEDWELL, SAMUEL BYRD, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS, WEXFORD HEALTH SERVICES. (Montgomery, Travis) (Entered: 04/02/2025)
04/02/2025	<a href="#">61</a>	Designation of Evidence re <a href="#">60</a> Joint MOTION for Summary Judgment , filed by Defendants SARA BEDWELL, SAMUEL BYRD, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS, WEXFORD HEALTH SERVICES. (Attachments: # <a href="#">1</a> Exhibit, # <a href="#">2</a> Exhibit, # <a href="#">3</a> Exhibit, # <a href="#">4</a> Exhibit, # <a href="#">5</a> Exhibit, # <a href="#">6</a> Exhibit, # <a href="#">7</a> Exhibit, # <a href="#">8</a> Exhibit, # <a href="#">9</a> Exhibit)(Montgomery, Travis) (Entered: 04/02/2025)
04/02/2025	<a href="#">62</a>	BRIEF/MEMORANDUM in Support re <a href="#">60</a> Joint MOTION for Summary Judgment , filed by Defendants SARA BEDWELL, SAMUEL BYRD, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS, WEXFORD HEALTH SERVICES. (Montgomery, Travis) (Entered: 04/02/2025)
04/02/2025	<a href="#">63</a>	NOTICE <i>Regarding Plaintiff's Right to Respond and Submit Evidence in Opposition</i> , filed by Defendants SARA BEDWELL, SAMUEL BYRD, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS, WEXFORD HEALTH SERVICES, re <a href="#">61</a> Designation of Evidence, <a href="#">60</a> Joint MOTION for Summary Judgment , <a href="#">62</a> Brief/Memorandum in Support. (Montgomery, Travis) (Entered: 04/02/2025)
04/02/2025	<a href="#">64</a>	MOTION for Summary Judgment , filed by Defendants S. CRITCHFIELD, MICHAEL ELLIS, FRANK VANIHEL. (Attachments: # <a href="#">1</a> Exhibit A. Full Deposition Transcript of Plaintiff, Darrell Dewayne Carter, # <a href="#">2</a> Exhibit B. Indiana Department of Correction Offender Grievance Policy, # <a href="#">3</a> Exhibit C. Plaintiffs Grievance History, # <a href="#">4</a> Exhibit D. Grievance Documents for Grievance Log No. 21-133345, # <a href="#">5</a> Exhibit E. Grievance Documents for Grievance Log No. 21-140148)(Sawyer, Erica) (Entered: 04/02/2025)
04/02/2025	<a href="#">65</a>	BRIEF/MEMORANDUM in Support re <a href="#">64</a> MOTION for Summary Judgment , filed by Defendants S. CRITCHFIELD, MICHAEL ELLIS, FRANK VANIHEL. (Sawyer, Erica) (Entered: 04/02/2025)
04/02/2025	<a href="#">66</a>	NOTICE <i>REGARDING RIGHT TO RESPOND TO AND SUBMIT EVIDENCE IN OPPOSITION TO MOTION FOR SUMMARY JUDGMENT</i> , filed by Defendants S. CRITCHFIELD, MICHAEL ELLIS, FRANK VANIHEL, re <a href="#">64</a> MOTION for Summary Judgment . (Sawyer, Erica) (Entered: 04/02/2025)
04/04/2025	<a href="#">67</a>	ORDER - Medical Defendants' Motion for Joinder to State Defendants' Motion to Extend the Dispositive Motion Deadline, Dkt. <a href="#">59</a> , is GRANTED. The Motion for Summary Judgment that was filed by Medical Defendants on April 2, 2025, (Dkt. <a href="#">60</a> ), is deemed to have been timely filed. Signed by Magistrate Judge M. Kendra Klump on 04/04/2025. (AAS) (Entered: 04/04/2025)
04/30/2025	<a href="#">68</a>	MOTION for Extension of Time to File Response Brief to Defendant's Motion for Summary Judgment, filed by Plaintiff DARRELL DEWAYNE CARTER. (AAS) (Entered: 04/30/2025)
04/30/2025	<a href="#">69</a>	RESPONSE to Motion re <a href="#">68</a> MOTION for Extension of Time to File Response re <a href="#">60</a> Joint MOTION for Summary Judgment , filed by Defendants SARA BEDWELL,

		SAMUEL BYRD, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS. (Montgomery, Travis) (Entered: 04/30/2025)
05/02/2025	<a href="#">70</a>	MOTION to Withdraw Attorney Appearance <i>Jonathan M. Freije</i> , filed by Defendants S. CRITCHFIELD, MICHAEL ELLIS, FRANK VANIHEL. (Attachments: # <a href="#">1</a> Text of Proposed Order Proposed Order Granting MTW)(Freije, Jonathan) (Entered: 05/02/2025)
05/02/2025	<a href="#">71</a>	ORDER - Before the Court is Plaintiff's Motion for Extension of Time to File Response to Defendants' Motion for Summary Judgment. Dkt. <a href="#">68</a> . The Court, having considered the matter fully, now GRANTS the Motion for Extension of Time. The deadline for Plaintiff to file his Response Brief shall be extended up to and including May 19, 2025. Signed by Magistrate Judge M. Kendra Klump on 5/2/2025. (JSR) (Entered: 05/02/2025)
05/07/2025	<a href="#">72</a>	ORDER granting <a href="#">70</a> Motion to Withdraw Attorney Appearance. Attorney Jonathan Freije withdrawn. SEE ORDER. Signed by Magistrate Judge M. Kendra Klump on 5/7/2025. (JRB) (Entered: 05/07/2025)
05/13/2025	<a href="#">73</a>	MOTION for Extension of Time, filed by Plaintiff DARRELL DEWAYNE CARTER. (JRB) (Entered: 05/13/2025)
05/16/2025	<a href="#">74</a>	ORDER granting <a href="#">73</a> Motion for Extension of Time to File Response. The deadline for Plaintiff to file his Response Brief shall be extended up to and including June 9, 2025. Signed by Magistrate Judge M. Kendra Klump on 5/16/2025. (KAA) (Entered: 05/16/2025)
06/05/2025	<a href="#">75</a>	Third and Final MOTION for Extension of Time, filed by Plaintiff DARRELL DEWAYNE CARTER. (JRB) (Entered: 06/05/2025)
06/05/2025	<a href="#">76</a>	RESPONSE to Motion re <a href="#">75</a> MOTION for Extension of Time to , filed by Defendants SARA BEDWELL, SAMUEL BYRD, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS. (Montgomery, Travis) (Entered: 06/05/2025)
06/11/2025	<a href="#">77</a>	ORDER granting <a href="#">75</a> Motion for Extension of Time - The deadline for Plaintiff to file his Response Brief to the Motions for Summary Judgment shall be extended up to and including June 23, 2025. SEE ORDER. Signed by Magistrate Judge M. Kendra Klump on 6/11/2025. (JRB) (Entered: 06/12/2025)
06/12/2025	<a href="#">78</a>	NOTICE of Substitution of Appearance by Benjamin Cardwell replacing <i>Erica L. Sawyer</i> on behalf of S. CRITCHFIELD, MICHAEL ELLIS, FRANK VANIHEL (Cardwell, Benjamin) (Entered: 06/12/2025)
06/24/2025	<a href="#">79</a>	RESPONSE in Opposition to <a href="#">60</a> Joint MOTION for Summary Judgment , filed by Plaintiff DARRELL DEWAYNE CARTER. (Attachments: # <a href="#">1</a> Exhibit)(JRB) (Entered: 06/24/2025)
06/27/2025	<a href="#">80</a>	NOTICE of Appearance by Brandyn Lee Arnold on behalf of Defendants S. CRITCHFIELD, MICHAEL ELLIS, FRANK VANIHEL. (Arnold, Brandyn) (Entered: 06/27/2025)
07/01/2025	<a href="#">81</a>	REPLY in Support of Motion re <a href="#">64</a> MOTION for Summary Judgment , filed by Defendants S. CRITCHFIELD, MICHAEL ELLIS, FRANK VANIHEL. (Cardwell, Benjamin) (Entered: 07/01/2025)
07/08/2025	<a href="#">82</a>	REPLY in Support of Motion re <a href="#">60</a> Joint MOTION for Summary Judgment , filed by Defendants SARA BEDWELL, SAMUEL BYRD, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS, WEXFORD HEALTH SERVICES. (Montgomery, Travis) (Entered: 07/08/2025)

07/21/2025	<a href="#">83</a>	MOTION for Extension of Time to File Surreply, filed by Plaintiff DARRELL DEWAYNE CARTER. (SAM) (Entered: 07/21/2025)
07/22/2025	<a href="#">84</a>	RESPONSE in Opposition re <a href="#">83</a> MOTION for Extension of Time to <i>File Surreply</i> , filed by Defendants SARA BEDWELL, SAMUEL BYRD, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS. (Montgomery, Travis) (Entered: 07/22/2025)
07/23/2025	<a href="#">85</a>	ORDER - granting <a href="#">83</a> Motion for Extension of Time to the limited extent that the time limit for filing a surreply is extended up to and including August 7, 2025. (See Order.) Signed by Magistrate Judge M. Kendra Klump on 7/23/25. (RSF) (Entered: 07/24/2025)
07/23/2025	<a href="#">86</a>	***PLEASE DISREGARD - DOCKETED IN ERROR *** ORDER SETTING PRETRIAL SCHEDULE AND DISCUSSING DISCOVERY IN PRISONER LITIGATION: Plaintiff's motion for court assistance, Dkt. <a href="#">53</a> , is GRANTED to the extent that this case will proceed with the remaining defendants as follows. 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 2/23/2026. Discovery due by 1/22/2026. Signed by Magistrate Judge M. Kendra Klump on 7/23/25.(RSF) Modified on 7/24/2025 (RSF). (Entered: 07/24/2025)
08/08/2025	<a href="#">87</a>	*** STRICKEN RE - <a href="#">96</a> *** Surreply re <a href="#">60</a> Joint MOTION for Summary Judgment , filed by Plaintiff DARRELL DEWAYNE CARTER. (SAM) Modified on 1/5/2026 updated docket text. (AJG). (Entered: 08/11/2025)
08/11/2025	<a href="#">88</a>	MOTION to Strike <a href="#">87</a> Surreply , filed by Defendants SARA BEDWELL, SAMUEL BYRD, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Montgomery, Travis) (Entered: 08/11/2025)
08/15/2025	<a href="#">89</a>	RESPONSE in Opposition re <a href="#">88</a> MOTION to Strike <a href="#">87</a> Surreply , filed by Plaintiff DARRELL DEWAYNE CARTER. (SAM) (Entered: 08/18/2025)
08/25/2025	<a href="#">90</a>	REPLY in Support of Motion re <a href="#">88</a> MOTION to Strike <a href="#">87</a> Surreply , filed by Defendants SARA BEDWELL, SAMUEL BYRD, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS. (Montgomery, Travis) (Entered: 08/25/2025)
08/29/2025	<a href="#">91</a>	MOTION for Joinder <a href="#">88</a> Defendants' Motion To Strike and <a href="#">90</a> Defendants' Reply In Support, filed by Defendants S. CRITCHFIELD, MICHAEL ELLIS, FRANK VANIEL. (Cardwell, Benjamin) Modified on 8/29/2025 Added links to <a href="#">88</a> and <a href="#">90</a> (NAD). Modified on 8/29/2025 (CKM). (Entered: 08/29/2025)
09/04/2025	<a href="#">92</a>	Surreply to <a href="#">88</a> MOTION to Strike <a href="#">87</a> Surreply, filed by Plaintiff DARRELL DEWAYNE CARTER. (Attachments: # <a href="#">1</a> Exhibit)(TPS) (Entered: 09/04/2025)
09/15/2025	<a href="#">93</a>	RESPONSE in Opposition to <a href="#">91</a> MOTION for Joinder, filed by Plaintiff DARRELL DEWAYNE CARTER. (SAM) (Entered: 09/15/2025)
09/18/2025	<a href="#">94</a>	NOTICE of Substitution of Appearance by Serena Elisa Alway replacing on behalf of S. CRITCHFIELD, MICHAEL ELLIS, FRANK VANIEL (Alway, Serena) (Entered: 09/18/2025)
10/03/2025	<a href="#">95</a>	TRIAL SETTING AND NOTICE OF FINAL PRETRIAL CONFERENCE - This cause is hereby set for a Jury Trial before Judge James R. Sweeney II on July 20, 2026 at 9:00 a.m. (ET) in Room 131 of the U.S. Courthouse, 921 Ohio Street, Terre Haute, Indiana. A Final Pretrial Conference is also set for July 2, 2026 at 9:00 a.m. (ET) in Room 131 of the

		U.S. Courthouse, 921 Ohio Street, Terre Haute, Indiana. Signed by Chief District Judge James Russell Sweeney, II on 10/3/2025.(JRB) (Entered: 10/06/2025)
12/31/2025	<a href="#">96</a>	ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT - The Court GRANTS the Defendants' motion to strike the surreply, dkts. <a href="#">88</a> , <a href="#">91</a> . The clerk is directed to strike the surreply at Docket No. <a href="#">87</a> . The IDOC Defendants' motion for summary judgment, dkt. <a href="#">64</a> , is GRANTED. The clerk is directed to terminate Shelby Crichfield, Frank Vanihel, and Michael Ellis as defendants on the docket. Partial final judgment will not issue at this time. The Medical Defendants' joint motion for summary judgment, dkt. <a href="#">60</a> , is GRANTED as to Wexford, Sara Bedwell, Kimberly Hobson, and Barbara Riggs, and DENIED as to Dr. Naveen Rajoli and Dr. Samuel Byrd. The clerk is directed to terminate Wexford, Sara Bedwell, Kimberly Hobson, and Barbara Riggs, as defendants on the docket. Mr. Carter's Eighth Amendment claims against Dr. Rajoli and Dr. Byrd are proceeding in this case. The Court prefers that Mr. Carter be represented by counsel for the remainder of this action. The clerk is directed to send Mr. Carter a motion for assistance recruiting counsel with his copy of this Order. Mr. Carter has 28 days from the date of this Order to file a motion for counsel using this form motion or to inform the Court that he wishes to proceed pro se. Once the motion has been ruled on and counsel has been recruited, the magistrate judge is asked to schedule a telephonic status conference to discuss further proceedings. (See Order.) Signed by Chief District Judge James Russell Sweeney, II on 12/31/2025. (Attachments: # <a href="#">1</a> Counsel Form) (AJG) (Entered: 12/31/2025)
01/05/2026	<a href="#">97</a>	NOTICE of Substitution of Appearance by Carol A. Dillon replacing <i>Travis W. Montgomery and Jeb A. Crandall</i> on behalf of SAMUEL BYRD, NAVEEN RAJOLI (Dillon, Carol) (Entered: 01/05/2026)
01/23/2026	<a href="#">98</a>	MOTION for Assistance with Recruiting Counsel, filed by Plaintiff DARRELL DEWAYNE CARTER. (JRB) (Entered: 01/23/2026)
01/23/2026	<a href="#">99</a>	MOTION for Leave to Proceed in forma pauperis with Trust Account Statement for Appointment of Counsel, filed by Plaintiff DARRELL DEWAYNE CARTER. (JRB) (Entered: 01/23/2026)
01/26/2026	<a href="#">100</a>	ORDER granting <a href="#">98</a> Motion to Appoint Counsel and <a href="#">99</a> Motion for Leave to Proceed in forma pauperis - Plaintiff Darell Carter's motion for assistance with recruiting counsel, dkt. <a href="#">98</a> , is GRANTED to the extent that the Court will attempt to recruit counsel to represent Mr. Carter through the resolution of this case. Mr. Carter's motion to proceed in forma pauperis, dkt. <a href="#">99</a> , is GRANTED to the extent that the Court considers Mr. Carter indigent for the purpose of appointing counsel. SEE ORDER. Signed by Chief District Judge James Russell Sweeney, II on 1/26/2026. (JRB) (Entered: 01/26/2026)

Case #: 2:23-cv-00386-JRS-MKK