

***** 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
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ATTORNEY TO BE NOTICED

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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	1	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. 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. (DJH) (Entered: 07/28/2023)
06/29/2023	2	COMPLAINT against SARA BEDWELL, SAMUEL BYRD, S. CRITCHFIELD, MICHAEL ELLIS, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS, FRANK VANIHEL, WEXFORD HEALTH SERVICES, filed by DARRELL DEWAYNE CARTER. (No fee paid with this filing) (DJH) (Entered: 07/28/2023)
07/28/2023	3	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (DJH) (Entered: 07/28/2023)
07/28/2023	4	Notice to File Rule 7.1 Disclosure Statement. (RAGS) (DJH) (Entered: 07/28/2023)
08/07/2023	5	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	6	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	8	Submission of Cover Letter Received with Payment, filed by Plaintiff DARRELL DEWAYNE CARTER. (Attachments: # 1 Envelope)(SWM) (Entered: 08/30/2023)
08/29/2023	7	RECEIPT #6675 for filing fee in the amount of \$402.00, paid by DARRELL D. CARTER. (DJH) (Entered: 08/29/2023)
12/12/2023	9	MOTION Requesting Status of Case, filed by Plaintiff DARRELL DEWAYNE CARTER. (JRB) (Entered: 12/12/2023)
01/02/2024	10	Order Screening Complaint and Directing Further Proceedings - Mr. Carter's motion for status, dkt. 9 , 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 2 , 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	11	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	12	Documents to be Sent via Electronic Notice - re 10 Order on Motion, 11 NOTICE of Lawsuit & Waiver Issued by Clerk, 2 Complaint Electronic Notice to Wexford, IDOC, and Centurion. (JRB) (Entered: 01/03/2024)
01/05/2024	13	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	14	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	15	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	16	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	17	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	18	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	19	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	20	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	21	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	22	ANSWER to 2 Complaint , filed by WEXFORD HEALTH SERVICES.(Bitner, Douglass) (Entered: 02/20/2024)
03/04/2024	23	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	24	<i>Individual Medical Defendants'</i> ANSWER to 2 Complaint , filed by SARA BEDWELL, SAMUEL BYRD, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS. (Montgomery, Travis) (Entered: 03/04/2024)
04/24/2024	25	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	26	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	27	NOTICE of <i>Withdrawal of Affirmative Defense</i> , filed by Defendant WEXFORD HEALTH SERVICES, re 22 Answer to Complaint. (Bitner, Douglass) (Entered: 05/01/2024)
05/14/2024	28	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. 27 . Accordingly, the partial stay issued at Docket No. 25 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	29	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	30	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	31	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	32	NOTICE of <i>Service of 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	33	NOTICE of <i>Service of 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	34	NOTICE <i>REGARDING SETTLEMENT CONFERENCE</i> , filed by Defendants MICHAEL ELLIS, S. CRITCHFIELD, FRANK VANIHHEL, re 29 Order Setting Pretrial Schedule and Discussing Discovery in Prisoner Litigation. (Freije, Jonathan) (Entered: 10/15/2024)
10/15/2024	35	NOTICE <i>Regarding Settlement Conference</i> , filed by Defendants NAVEEN RAJOLI, SAMUEL BYRD, SARA BEDWELL, KIMBERLY HOBSON, BARBARA RIGGS (Montgomery, Travis) (Entered: 10/15/2024)
10/21/2024	36	NOTICE Regarding Settlement Conference, filed by Plaintiff DARRELL DEWAYNE CARTER (TPS) (Entered: 10/23/2024)
10/31/2024	37	MOTION for Extension of Discovery Deadlines, filed by Plaintiff DARRELL DEWAYNE CARTER. (KAA) (Entered: 10/31/2024)
11/06/2024	38	ORDER granting 37 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. 29 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	39	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	40	MOTION to Take Deposition from Darrell Carter , filed by Defendants MICHAEL ELLIS, S. CRITCHFIELD, FRANK VANIHHEL. (Attachments: # 1 Text of Proposed Order)(Freije, Jonathan) (Entered: 12/04/2024)
12/06/2024	41	NOTICE <i>of Service</i> , filed by Defendants WEXFORD HEALTH SERVICES, NAVEEN RAJOLI, SAMUEL BYRD, KIMBERLY HOBSON, BARBARA RIGGS (Bitner, Douglass) (Entered: 12/06/2024)
12/13/2024	42	ORDER granting 40 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	43	NOTICE of Taking Deposition by MICHAEL ELLIS, S. CRITCHFIELD, FRANK VANIHHEL (Freije, Jonathan) (Entered: 12/18/2024)
12/18/2024	44	NOTICE <i>OF STATE DEFENDANTS RESPONSES TO PLAINTIFFS FIRST SET OF INTERROGATORIES</i> , filed by Defendants MICHAEL ELLIS, S. CRITCHFIELD, FRANK VANIHHEL (Freije, Jonathan) (Entered: 12/18/2024)
12/19/2024	45	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. 39 . Dr. Byrd has not responded in opposition to the Motion, and the deadline for doing so has passed. Accordingly, the Motion, Dkt. 39 , 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	46	***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	47	MOTION to Compel, filed by Plaintiff DARRELL DEWAYNE CARTER. (LBT) (Entered: 01/17/2025)
01/30/2025	48	RESPONSE in Opposition re 47 MOTION to Compel , filed by Defendants MICHAEL ELLIS, S. CRITCHFIELD, FRANK VANIHEL. (Freije, Jonathan) (Entered: 01/30/2025)
01/30/2025	49	RESPONSE in Opposition re 47 MOTION to Compel , filed by Defendants SAMUEL BYRD, SARA BEDWELL, KIMBERLY HOBSON, BARBARA RIGGS. (Montgomery, Travis) (Entered: 01/30/2025)
01/31/2025	50	MOTION for Extension of Time to March 3, 2025, to <i>File Dispositive Motions</i> , filed by Defendants NAVEEN RAJOLI, SAMUEL BYRD, SARA BEDWELL, KIMBERLY HOBSON, BARBARA RIGGS. (Attachments: # 1 Text of Proposed Order)(Montgomery, Travis) (Entered: 01/31/2025)
02/10/2025	51	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. 50 . 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	52	REPLY in Support of 47 MOTION to Compel, filed by Plaintiff DARRELL DEWAYNE CARTER. (Attachments: # 1 Exhibit)(JRB) (Entered: 02/12/2025)
02/19/2025	53	ORDER denying as moot 47 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	54	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: # 1 Text of Proposed Order)(Freije, Jonathan) (Entered: 02/21/2025)
02/21/2025	55	STATUS REPORT by SAMUEL BYRD, SARA BEDWELL, KIMBERLY HOBSON, BARBARA RIGGS. (Montgomery, Travis) (Entered: 02/21/2025)
02/24/2025	56	ORDER - Before the Court is Defendants' Motion to Extend the Dispositive Motion Deadline. Dkt. 54 . 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	57	MARGINAL ENTRY Re 55 - The Court acknowledges this Status Report as being compliant with the Court's February 19, 2025 Order (Dkt. 53). Signed by Magistrate Judge M. Kendra Klump on 02/24/2025.(AAS) (Entered: 02/24/2025)
02/25/2025	58	ORDER - On February 24, 2025, the Court entered an Order granting Defendants' Motion to Extend the Dispositive Motion Deadline. (Dkt. 56). 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	59	MOTION for Joinder to State Defendants' Motion to Extend the Dispositive Motion Deadline, filed by Defendants NAVEEN RAJOLI, SAMUEL BYRD, SARA BEDWELL, KIMBERLY HOBSON, BARBARA RIGGS. (Attachments: # 1 Text of Proposed Order) (Montgomery, Travis) (Entered: 02/27/2025)
04/02/2025	60	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	61	Designation of Evidence re 60 Joint MOTION for Summary Judgment , filed by Defendants SARA BEDWELL, SAMUEL BYRD, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS, WEXFORD HEALTH SERVICES. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit)(Montgomery, Travis) (Entered: 04/02/2025)
04/02/2025	62	BRIEF/MEMORANDUM in Support re 60 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	63	NOTICE Regarding Plaintiff's Right to Respond and Submit Evidence in Opposition, filed by Defendants SARA BEDWELL, SAMUEL BYRD, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS, WEXFORD HEALTH SERVICES, re 61 Designation of Evidence, 60 Joint MOTION for Summary Judgment , 62 Brief/Memorandum in Support. (Montgomery, Travis) (Entered: 04/02/2025)
04/02/2025	64	MOTION for Summary Judgment , filed by Defendants S. CRITCHFIELD, MICHAEL ELLIS, FRANK VANIHHEL. (Attachments: # 1 Exhibit A. Full Deposition Transcript of Plaintiff, Darrell Dewayne Carter, # 2 Exhibit B. Indiana Department of Correction Offender Grievance Policy, # 3 Exhibit C. Plaintiffs Grievance History, # 4 Exhibit D. Grievance Documents for Grievance Log No. 21-133345, # 5 Exhibit E. Grievance Documents for Grievance Log No. 21-140148)(Sawyer, Erica) (Entered: 04/02/2025)
04/02/2025	65	BRIEF/MEMORANDUM in Support re 64 MOTION for Summary Judgment , filed by Defendants S. CRITCHFIELD, MICHAEL ELLIS, FRANK VANIHHEL. (Sawyer, Erica) (Entered: 04/02/2025)
04/02/2025	66	NOTICE REGARDING RIGHT TO RESPOND TO AND SUBMIT EVIDENCE IN OPPOSITION TO MOTION FOR SUMMARY JUDGMENT, filed by Defendants S. CRITCHFIELD, MICHAEL ELLIS, FRANK VANIHHEL, re 64 MOTION for Summary Judgment . (Sawyer, Erica) (Entered: 04/02/2025)
04/04/2025	67	ORDER - Medical Defendants' Motion for Joinder to State Defendants' Motion to Extend the Dispositive Motion Deadline, Dkt. 59 , is GRANTED. The Motion for Summary Judgment that was filed by Medical Defendants on April 2, 2025, (Dkt. 60), 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	68	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	69	RESPONSE to Motion re 68 MOTION for Extension of Time to File Response re 60 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	70	MOTION to Withdraw Attorney Appearance <i>Jonathan M. Freije</i> , filed by Defendants S. CRITCHFIELD, MICHAEL ELLIS, FRANK VANIHEL. (Attachments: # 1 Text of Proposed Order Proposed Order Granting MTW)(Freije, Jonathan) (Entered: 05/02/2025)
05/02/2025	71	ORDER - Before the Court is Plaintiff's Motion for Extension of Time to File Response to Defendants' Motion for Summary Judgment. Dkt. 68 . 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	72	ORDER granting 70 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	73	MOTION for Extension of Time, filed by Plaintiff DARRELL DEWAYNE CARTER. (JRB) (Entered: 05/13/2025)
05/16/2025	74	ORDER granting 73 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	75	Third and Final MOTION for Extension of Time, filed by Plaintiff DARRELL DEWAYNE CARTER. (JRB) (Entered: 06/05/2025)
06/05/2025	76	RESPONSE to Motion re 75 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	77	ORDER granting 75 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	78	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	79	RESPONSE in Opposition to 60 Joint MOTION for Summary Judgment , filed by Plaintiff DARRELL DEWAYNE CARTER. (Attachments: # 1 Exhibit)(JRB) (Entered: 06/24/2025)
06/27/2025	80	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	81	REPLY in Support of Motion re 64 MOTION for Summary Judgment , filed by Defendants S. CRITCHFIELD, MICHAEL ELLIS, FRANK VANIHEL. (Cardwell, Benjamin) (Entered: 07/01/2025)
07/08/2025	82	REPLY in Support of Motion re 60 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	83	MOTION for Extension of Time to File Surreply, filed by Plaintiff DARRELL DEWAYNE CARTER. (SAM) (Entered: 07/21/2025)
07/22/2025	84	RESPONSE in Opposition re 83 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	85	ORDER - granting 83 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	86	***PLEASE DISREGARD - DOCKETED IN ERROR *** ORDER SETTING PRETRIAL SCHEDULE AND DISCUSSING DISCOVERY IN PRISONER LITIGATION: Plaintiff's motion for court assistance, Dkt. 53 , 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	87	*** STRICKEN RE - 96 *** Surreply re 60 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	88	MOTION to Strike 87 Surreply , filed by Defendants SARA BEDWELL, SAMUEL BYRD, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS. (Attachments: # 1 Text of Proposed Order)(Montgomery, Travis) (Entered: 08/11/2025)
08/15/2025	89	RESPONSE in Opposition re 88 MOTION to Strike 87 Surreply , filed by Plaintiff DARRELL DEWAYNE CARTER. (SAM) (Entered: 08/18/2025)
08/25/2025	90	REPLY in Support of Motion re 88 MOTION to Strike 87 Surreply , filed by Defendants SARA BEDWELL, SAMUEL BYRD, KIMBERLY HOBSON, NAVEEN RAJOLI, BARBARA RIGGS. (Montgomery, Travis) (Entered: 08/25/2025)
08/29/2025	91	MOTION for Joinder 88 <i>Defendants' Motion To Strike and</i> 90 <i>Defendants' Reply In Support</i> , filed by Defendants S. CRITCHFIELD, MICHAEL ELLIS, FRANK VANIHEL. (Cardwell, Benjamin) Modified on 8/29/2025 Added links to 88 and 90 (NAD). Modified on 8/29/2025 (CKM). (Entered: 08/29/2025)
09/04/2025	92	Surreply to 88 MOTION to Strike 87 Surreply, filed by Plaintiff DARRELL DEWAYNE CARTER. (Attachments: # 1 Exhibit)(TPS) (Entered: 09/04/2025)
09/15/2025	93	RESPONSE in Opposition to 91 MOTION for Joinder, filed by Plaintiff DARRELL DEWAYNE CARTER. (SAM) (Entered: 09/15/2025)
09/18/2025	94	NOTICE of Substitution of Appearance by Serena Elisa Alway replacing on behalf of S. CRITCHFIELD, MICHAEL ELLIS, FRANK VANIHEL (Alway, Serena) (Entered: 09/18/2025)
10/03/2025	95	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	96	ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT - The Court GRANTS the Defendants' motion to strike the surreply, dkt. 88 , 91 . The clerk is directed to strike the surreply at Docket No. 87 . The IDOC Defendants' motion for summary judgment, dkt. 64 , 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. 60 , 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: # 1 Counsel Form) (AJG) (Entered: 12/31/2025)
01/05/2026	97	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	98	MOTION for Assistance with Recruiting Counsel, filed by Plaintiff DARRELL DEWAYNE CARTER. (JRB) (Entered: 01/23/2026)
01/23/2026	99	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	100	ORDER granting 98 Motion to Appoint Counsel and 99 Motion for Leave to Proceed in forma pauperis - Plaintiff Darell Carter's motion for assistance with recruiting counsel, dkt. 98 , 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. 99 , 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)

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